

Senate File 2336

H-8464

1 Amend Senate File 2336, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 DEPARTMENT ON AGING

7 Section 1. 2011 Iowa Acts, chapter 129, section  
8 113, is amended to read as follows:

9 SEC. 113. DEPARTMENT ON AGING. There is  
10 appropriated from the general fund of the state to  
11 the department on aging for the fiscal year beginning  
12 July 1, 2012, and ending June 30, 2013, the following  
13 amount, or so much thereof as is necessary, to be used  
14 for the purposes designated:

15 For aging programs for the department on aging and  
16 area agencies on aging to provide citizens of Iowa who  
17 are 60 years of age and older with case management for  
18 frail elders, Iowa's aging and disabilities resource  
19 center, and other services which may include but are  
20 not limited to adult day services, respite care, chore  
21 services, information and assistance, and material aid,  
22 for information and options counseling for persons with  
23 disabilities who are 18 years of age or older, and  
24 for salaries, support, administration, maintenance,  
25 and miscellaneous purposes, and for not more than the  
26 following full-time equivalent positions:

27 ..... \$ 5,151,288  
28 ..... 10,242,086  
29 ..... FTEs 35.00

30 1. Funds appropriated in this section may be used  
31 to supplement federal funds under federal regulations.  
32 To receive funds appropriated in this section, a local  
33 area agency on aging shall match the funds with moneys  
34 from other sources according to rules adopted by the  
35 department. Funds appropriated in this section may be  
36 used for elderly services not specifically enumerated  
37 in this section only if approved by an area agency on  
38 aging for provision of the service within the area.

39 ~~2. The amount appropriated in this section includes~~  
40 ~~additional funding of \$225,000 for delivery of~~  
41 ~~long-term care services to seniors with low or moderate~~  
42 ~~incomes.~~

43 3. Of the funds appropriated in this section,  
44 ~~\$89,973~~ \$179,946 shall be transferred to the department  
45 of economic development for the Iowa commission on  
46 volunteer services to be used for the retired and  
47 senior volunteer program.

48 4. a. The department on aging shall establish and  
49 enforce procedures relating to expenditure of state and  
50 federal funds by area agencies on aging that require

1 compliance with both state and federal laws, rules, and  
2 regulations, including but not limited to all of the  
3 following:

4 (1) Requiring that expenditures are incurred only  
5 for goods or services received or performed prior to  
6 the end of the fiscal period designated for use of the  
7 funds.

8 (2) Prohibiting prepayment for goods or services  
9 not received or performed prior to the end of the  
10 fiscal period designated for use of the funds.

11 (3) Prohibiting the prepayment for goods or  
12 services not defined specifically by good or service,  
13 time period, or recipient.

14 (4) Prohibiting the establishment of accounts from  
15 which future goods or services which are not defined  
16 specifically by good or service, time period, or  
17 recipient, may be purchased.

18 b. The procedures shall provide that if any funds  
19 are expended in a manner that is not in compliance with  
20 the procedures and applicable federal and state laws,  
21 rules, and regulations, and are subsequently subject  
22 to repayment, the area agency on aging expending such  
23 funds in contravention of such procedures, laws, rules  
24 and regulations, not the state, shall be liable for  
25 such repayment.

26 5. The department shall develop recommendations  
27 for an implementation schedule, including funding  
28 projections, for the substitute decision maker program  
29 created pursuant to chapter 231E, and shall submit the  
30 recommendations to the individuals identified in this  
31 Act for submission of reports by December 15, 2012.

32 6. The amount appropriated in this section reflects  
33 a reduction in expenditures for office supplies,  
34 purchases of equipment, office equipment, printing and  
35 binding, and marketing, that shall be applied equitably  
36 to the programs under the purview of the department.

#### 37 DIVISION II

#### 38 DEPARTMENT OF PUBLIC HEALTH

39 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,  
40 is amended to read as follows:

41 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is  
42 appropriated from the general fund of the state to  
43 the department of public health for the fiscal year  
44 beginning July 1, 2012, and ending June 30, 2013, the  
45 following amounts, or so much thereof as is necessary,  
46 to be used for the purposes designated:

47 1. ADDICTIVE DISORDERS

48 For reducing the prevalence of use of tobacco,  
49 alcohol, and other drugs, and treating individuals  
50 affected by addictive behaviors, including gambling,

1 and for not more than the following full-time  
2 equivalent positions:

3 ..... \$ ~~11,751,595~~  
4 23,463,690  
5 ..... FTEs 13.00

6 a. (1) Of the funds appropriated in this  
7 subsection, ~~\$1,626,915~~ \$3,253,830 shall be used for  
8 the tobacco use prevention and control initiative,  
9 including efforts at the state and local levels, as  
10 provided in chapter 142A. The commission on tobacco  
11 use prevention and control established pursuant to  
12 section 142A.3 shall advise the director of public  
13 health in prioritizing funding needs and the allocation  
14 of moneys appropriated for the programs and activities  
15 of the initiative under this subparagraph (1) and shall  
16 make recommendations to the director in the development  
17 of budget requests relating to the initiative. Of the  
18 funds allocated in this subparagraph (1), \$750,000  
19 shall be used for support of Quitline Iowa.

20 (2) (a) Of the funds allocated in this paragraph  
21 "a", ~~\$226,915~~ \$453,830 shall be transferred to the  
22 alcoholic beverages division of the department of  
23 commerce for enforcement of tobacco laws, regulations,  
24 and ordinances in accordance with 2011 Iowa Acts, House  
25 File ~~467~~, as enacted chapter 63.

26 (b) For the fiscal year beginning July 1, 2012,  
27 and ending June 30, 2013, the terms of a chapter  
28 28D agreement, entered into between the division of  
29 tobacco use prevention and control of the department  
30 of public health and the alcoholic beverages division  
31 of the department of commerce, governing compliance  
32 checks conducted to ensure licensed retail tobacco  
33 outlet conformity with tobacco laws, regulations, and  
34 ordinances relating to persons under eighteen years of  
35 age, shall restrict the number of such checks to one  
36 check per retail outlet, and one additional check for  
37 any retail outlet found to be in violation during the  
38 first check.

39 b. Of the funds appropriated in this subsection,  
40 ~~\$10,124,680~~ \$20,249,360 shall be used for problem  
41 gambling and substance abuse prevention, treatment,  
42 and recovery services, including a 24-hour helpline,  
43 public information resources, professional training,  
44 and program evaluation.

45 (1) Of the funds allocated in this paragraph "b",  
46 ~~\$8,566,254~~ \$17,132,508 shall be used for substance  
47 abuse prevention and treatment.

48 (a) Of the funds allocated in this subparagraph  
49 (1), ~~\$449,650~~ \$899,300 shall be used for the public  
50 purpose of a grant program to provide substance abuse

1 prevention programming for children.

2 (i) Of the funds allocated in this subparagraph  
3 division (a), ~~\$213,769~~ \$427,539 shall be used for grant  
4 funding for organizations that provide programming for  
5 children by utilizing mentors. Programs approved for  
6 such grants shall be certified or will be certified  
7 within six months of receiving the grant award by the  
8 Iowa commission on volunteer services as utilizing  
9 the standards for effective practice for mentoring  
10 programs.

11 (ii) Of the funds allocated in this subparagraph  
12 division (a), ~~\$213,419~~ \$426,839 shall be used for grant  
13 funding for organizations that provide programming  
14 that includes youth development and leadership. The  
15 programs shall also be recognized as being programs  
16 that are scientifically based with evidence of their  
17 effectiveness in reducing substance abuse in children.

18 (iii) The department of public health shall utilize  
19 a request for proposals process to implement the grant  
20 program.

21 (iv) All grant recipients shall participate in a  
22 program evaluation as a requirement for receiving grant  
23 funds.

24 (v) Of the funds allocated in this subparagraph  
25 division (a), up to ~~\$22,461~~ \$44,922 may be used to  
26 administer substance abuse prevention grants and for  
27 program evaluations.

28 (b) Of the funds allocated in this subparagraph  
29 (1), ~~\$136,531~~ \$273,062 shall be used for culturally  
30 competent substance abuse treatment pilot projects.

31 (i) The department shall utilize the amount  
32 allocated in this subparagraph division (b) for at  
33 least three pilot projects to provide culturally  
34 competent substance abuse treatment in various areas  
35 of the state. Each pilot project shall target a  
36 particular ethnic minority population. The populations  
37 targeted shall include but are not limited to African  
38 American, Asian, and Latino.

39 (ii) The pilot project requirements shall provide  
40 for documentation or other means to ensure access  
41 to the cultural competence approach used by a pilot  
42 project so that such approach can be replicated and  
43 improved upon in successor programs.

44 (2) Of the funds allocated in this paragraph "b",  
45 up to ~~\$1,558,426~~ \$3,116,852 may be used for problem  
46 gambling prevention, treatment, and recovery services.

47 (a) Of the funds allocated in this subparagraph  
48 (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem  
49 gambling prevention and treatment.

50 (b) Of the funds allocated in this subparagraph

1 (2), up to ~~\$218,926~~ \$437,852 may be used for a 24-hour  
2 helpline, public information resources, professional  
3 training, and program evaluation.

4 (c) Of the funds allocated in this subparagraph  
5 (2), up to ~~\$50,000~~ \$100,000 may be used for the  
6 licensing of problem gambling treatment programs.

7 (3) It is the intent of the general assembly that  
8 from the moneys allocated in this paragraph "b",  
9 persons with a dual diagnosis of substance abuse  
10 and gambling addictions shall be given priority in  
11 treatment services.

12 c. Notwithstanding any provision of law to the  
13 contrary, to standardize the availability, delivery,  
14 cost of delivery, and accountability of problem  
15 gambling and substance abuse treatment services  
16 statewide, the department shall continue implementation  
17 of a process to create a system for delivery of  
18 treatment services in accordance with the requirements  
19 specified in 2008 Iowa Acts, chapter 1187, section  
20 3, subsection 4. To ensure the system provides a  
21 continuum of treatment services that best meets the  
22 needs of Iowans, the problem gambling and substance  
23 abuse treatment services in any area may be provided  
24 either by a single agency or by separate agencies  
25 submitting a joint proposal.

26 (1) The system for delivery of substance abuse  
27 and problem gambling treatment shall include problem  
28 gambling prevention.

29 (2) The system for delivery of substance abuse and  
30 problem gambling treatment shall include substance  
31 abuse prevention by July 1, 2014.

32 (3) Of the funds allocated in paragraph "b",  
33 the department may use up to ~~\$50,000~~ \$100,000 for  
34 administrative costs to continue developing and  
35 implementing the process in accordance with this  
36 paragraph "c".

37 d. The requirement of section 123.53, subsection  
38 5, is met by the appropriations and allocations made  
39 in this Act for purposes of substance abuse treatment  
40 and addictive disorders for the fiscal year beginning  
41 July 1, 2012.

42 e. The department of public health shall work  
43 with all other departments that fund substance  
44 abuse prevention and treatment services and all  
45 such departments shall, to the extent necessary,  
46 collectively meet the state maintenance of effort  
47 requirements for expenditures for substance abuse  
48 services as required under the federal substance abuse  
49 prevention and treatment block grant.

50 f. The department shall amend or otherwise

1 revise departmental policies and contract provisions  
2 in order to eliminate free t-shirt distribution,  
3 banner production, and other unnecessary promotional  
4 expenditures.

5 g. The amount appropriated in this subsection  
6 reflects a reduction in expenditures for office  
7 supplies, purchases of equipment, office equipment,  
8 printing and binding, and marketing, that shall  
9 be applied equitably to the programs under this  
10 subsection.

11 2. HEALTHY CHILDREN AND FAMILIES

12 For promoting the optimum health status for  
13 children, adolescents from birth through 21 years of  
14 age, and families, and for not more than the following  
15 full-time equivalent positions:

16 .....	\$	<del>1,297,135</del>
17 .....		<u>2,578,559</u>
18 .....	FTEs	10.00

19 a. Of the funds appropriated in this subsection,  
20 not more than ~~\$369,659~~ \$739,318 shall be used for  
21 the healthy opportunities to experience success  
22 (HOPES)-healthy families Iowa (HFI) program established  
23 pursuant to section 135.106. The funding shall be  
24 distributed to renew the grants that were provided  
25 to the grantees that operated the program during the  
26 fiscal year ending June 30, 2012.

27 0b. (1) In order to implement the legislative  
28 intent stated in sections 135.106 and 256I.9, that  
29 priority for home visitation program funding be given  
30 to programs using evidence-based or promising models  
31 for home visitation, it is the intent of the general  
32 assembly to phase-in the funding priority as follows:

33 (a) By July 1, 2013, 25 percent of state  
34 funds expended for home visiting programs are for  
35 evidence-based or promising program models.

36 (b) By July 1, 2014, 50 percent of state  
37 funds expended for home visiting programs are for  
38 evidence-based or promising program models.

39 (c) By July 1, 2015, 75 percent of state  
40 funds expended for home visiting programs are for  
41 evidence-based or promising program models.

42 (d) By July 1, 2016, 90 percent of state  
43 funds expended for home visiting programs are for  
44 evidence-based or promising program models. The  
45 remaining 10 percent of funds may be used for  
46 innovative program models that do not yet meet the  
47 definition of evidence-based or promising programs.

48 (2) For the purposes of this lettered paragraph,  
49 unless the context otherwise requires:

50 (a) "Evidence-based program" means a program that

1 is based on scientific evidence demonstrating that  
2 the program model is effective. An evidence-based  
3 program shall be reviewed onsite and compared to  
4 program model standards by the model developer or the  
5 developer's designee at least every five years to  
6 ensure that the program continues to maintain fidelity  
7 with the program model. The program model shall have  
8 had demonstrated significant and sustained positive  
9 outcomes in an evaluation utilizing a well-designed and  
10 rigorous randomized controlled research design or a  
11 quasi-experimental research design, and the evaluation  
12 results shall have been published in a peer-reviewed  
13 journal.

14 (b) "Family support programs" includes group-based  
15 parent education or home visiting programs that are  
16 designed to strengthen protective factors, including  
17 parenting skills, increasing parental knowledge of  
18 child development, and increasing family functioning  
19 and problem solving skills. A family support program  
20 may be used as an early intervention strategy to  
21 improve birth outcomes, parental knowledge, family  
22 economic success, the home learning environment, family  
23 and child involvement with others, and coordination  
24 with other community resources. A family support  
25 program may have a specific focus on preventing child  
26 maltreatment or ensuring children are safe, healthy,  
27 and ready to succeed in school.

28 (c) "Promising program" means a program that meets  
29 all of the following requirements:

30 (i) The program conforms to a clear, consistent  
31 family support model that has been in existence for at  
32 least three years.

33 (ii) The program is grounded in relevant  
34 empirically-based knowledge.

35 (iii) The program is linked to program-determined  
36 outcomes.

37 (iv) The program is associated with a national  
38 or state organization that either has comprehensive  
39 program standards that ensure high-quality service  
40 delivery and continuous program quality improvement  
41 or the program model has demonstrated through the  
42 program's benchmark outcomes that the program has  
43 achieved significant positive outcomes equivalent  
44 to those achieved by program models with published  
45 significant and sustained results in a peer-reviewed  
46 journal.

47 (v) The program has been awarded the Iowa family  
48 support credential and has been reviewed onsite  
49 at least every five years to ensure the program's  
50 adherence to the Iowa family support standards approved

1 by the early childhood Iowa state board created in  
2 section 256I.3 or a comparable set of standards. The  
3 onsite review is completed by an independent review  
4 team that is not associated with the program or the  
5 organization administering the program.

6 (3) (a) The data reporting requirements applicable  
7 to the HOPES-HFI program services shall include the  
8 requirements adopted by the early childhood Iowa state  
9 board pursuant to section 256I.4 for the family support  
10 programs targeted to families expecting a child or  
11 with newborn and infant children through age five and  
12 funded through the state board. The department of  
13 public health may specify additional data reporting  
14 requirements for the HOPES-HFI program services.  
15 The HOPES-HFI program services shall be required to  
16 participate in a state administered internet-based  
17 data collection system by July 1, 2013. The annual  
18 reporting concerning the HOPES-HFI program services  
19 shall include program outcomes beginning with the 2015  
20 report.

21 (b) The data on families served that is collected  
22 by the HOPES-HFI program shall include but is not  
23 limited to basic demographic information, services  
24 received, funding utilized, and program outcomes for  
25 the children and families served.

26 (c) The HOPES-HFI program shall work with the early  
27 childhood Iowa state board in the state board's efforts  
28 to identify minimum competency standards for the  
29 employees and supervisors of family support programs  
30 funded. The HOPES-HFI program, along with the state  
31 board, shall submit recommendations concerning the  
32 standards to the governor and general assembly on or  
33 before January 1, 2014.

34 (d) On or before January 1, 2013, the HOPES-HFI  
35 program shall adopt criminal and child abuse record  
36 check requirements for the employees and supervisors of  
37 family support programs funded through the program.

38 (e) The HOPES-HFI program shall work with the early  
39 childhood Iowa state board in the state board's efforts  
40 to develop a plan to implement a coordinated intake and  
41 referral process for publicly funded family support  
42 programs in order to engage the families expecting a  
43 child or with newborn and infant children through age  
44 five in all communities in the state by July 1, 2015.

45 b. Of the funds appropriated in this subsection,  
46 ~~\$164,942~~ \$329,885 shall be used to continue to address  
47 the healthy mental development of children from birth  
48 through five years of age through local evidence-based  
49 strategies that engage both the public and private  
50 sectors in promoting healthy development, prevention,



1 and treatment for children. The department shall work  
2 with the department of human services, Iowa Medicaid  
3 enterprise, to develop a plan to secure matching  
4 medical assistance program funding to provide services  
5 under this paragraph, which may include a per member  
6 per month payment to reimburse the care coordination  
7 and community outreach services component that links  
8 young children and their families with identified  
9 service needs.

10 c. Of the funds appropriated in this subsection,  
11 ~~\$15,798~~ \$31,597 shall be distributed to a statewide  
12 dental carrier to provide funds to continue the donated  
13 dental services program patterned after the projects  
14 developed by the lifeline network to provide dental  
15 services to indigent elderly and disabled individuals.

16 d. Of the funds appropriated in this subsection,  
17 ~~\$56,338~~ \$112,677 shall be used for childhood obesity  
18 prevention.

19 e. Of the funds appropriated in this subsection,  
20 ~~\$81,880~~ \$163,760 shall be used to provide audiological  
21 services and hearing aids for children. The department  
22 may enter into a contract to administer this paragraph.

23 f. The amount appropriated in this subsection  
24 reflects a reduction in expenditures for office  
25 supplies, purchases of equipment, office equipment,  
26 printing and binding, and marketing, that shall  
27 be applied equitably to the programs under this  
28 subsection.

29 3. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic  
31 conditions or special health care needs, and for not  
32 more than the following full-time equivalent positions:

33 ..... \$ ~~1,680,828~~  
34 3,424,366  
35 ..... FTEs 4.00

36 a. Of the funds appropriated in this subsection,  
37 ~~\$80,291~~ \$160,582 shall be used for grants to individual  
38 patients who have phenylketonuria (PKU) to assist with  
39 the costs of necessary special foods.

40 b. Of the funds appropriated in this subsection,  
41 ~~\$241,800~~ \$483,600 is allocated for continuation of  
42 the contracts for resource facilitator services in  
43 accordance with section 135.22B, subsection 9, and  
44 for brain injury training services and recruiting of  
45 service providers to increase the capacity within this  
46 state to address the needs of individuals with brain  
47 injuries and such individuals' families.

48 c. Of the funds appropriated in this subsection,  
49 ~~\$249,437~~ \$498,874 shall be used as additional funding  
50 to leverage federal funding through the federal Ryan

1 White Care Act, Tit. II, AIDS drug assistance program  
2 supplemental drug treatment grants.

3 d. Of the funds appropriated in this subsection,  
4 ~~\$15,627~~ \$50,000 shall be used for the public purpose of  
5 providing a grant to an existing national-affiliated  
6 organization to provide education, client-centered  
7 programs, and client and family support for people  
8 living with epilepsy and their families.

9 e. Of the funds appropriated in this subsection,  
10 ~~\$394,151~~ \$788,303 shall be used for child health  
11 specialty clinics.

12 f. Of the funds appropriated in this subsection,  
13 ~~\$248,533~~ \$497,065 shall be used for the comprehensive  
14 cancer control program to reduce the burden of cancer  
15 in Iowa through prevention, early detection, effective  
16 treatment, and ensuring quality of life. Of the funds  
17 allocated in this lettered paragraph, ~~\$75,000~~ \$250,000  
18 shall be used to support a melanoma research symposium,  
19 a melanoma biorepository and registry, basic and  
20 translational melanoma research, and clinical trials.

21 g. Of the funds appropriated in this subsection,  
22 ~~\$63,225~~ \$126,450 shall be used for cervical and colon  
23 cancer screening.

24 h. Of the funds appropriated in this subsection,  
25 ~~\$264,417~~ \$528,834 shall be used for the center for  
26 congenital and inherited disorders.

27 i. Of the funds appropriated in this subsection,  
28 ~~\$64,968~~ \$100,000 shall be used for the prescription  
29 drug donation repository program created in chapter  
30 135M.

31 j. No later than December 15, 2012, the department  
32 of public health, in collaboration with the department  
33 of education and other interested parties, shall  
34 develop training guidelines for the management of  
35 chronic conditions that affect children to be made  
36 available to public schools and accredited nonpublic  
37 schools throughout the state.

38 k. The amount appropriated in this subsection  
39 reflects a reduction in expenditures for office  
40 supplies, purchases of equipment, office equipment,  
41 printing and binding, and marketing, that shall  
42 be applied equitably to the programs under this  
43 subsection.

44 4. COMMUNITY CAPACITY

45 For strengthening the health care delivery system at  
46 the local level, and for not more than the following  
47 full-time equivalent positions:

48 .....	\$	<u>2,117,583</u>
49 .....		<u>3,788,859</u>
50 .....	FTEs	14.00

1 a. Of the funds appropriated in this subsection,  
2 ~~\$50,000~~ \$100,000 is allocated for a child vision  
3 screening program implemented through the university of  
4 Iowa hospitals and clinics in collaboration with early  
5 childhood Iowa areas.

6 b. Of the funds appropriated in this subsection,  
7 ~~\$55,654~~ \$111,308 is allocated for continuation of an  
8 initiative implemented at the university of Iowa and  
9 ~~\$50,246~~ \$100,493 is allocated for continuation of an  
10 initiative at the state mental health institute at  
11 Cherokee to expand and improve the workforce engaged in  
12 mental health treatment and services. The initiatives  
13 shall receive input from the university of Iowa, the  
14 department of human services, the department of public  
15 health, and the mental health and disability services  
16 commission to address the focus of the initiatives.

17 c. Of the funds appropriated in this subsection,  
18 ~~\$585,745~~ \$1,171,491 shall be used for essential public  
19 health services that promote healthy aging throughout  
20 the lifespan, contracted through a formula for local  
21 boards of health, to enhance health promotion and  
22 disease prevention services.

23 d. Of the funds appropriated in this section,  
24 ~~\$60,908~~ \$100,000 shall be deposited in the governmental  
25 public health system fund created in section 135A.8 to  
26 be used for the purposes of the fund.

27 e. Of the funds appropriated in this subsection,  
28 ~~\$72,271~~ \$144,542 shall be used for the mental health  
29 professional shortage area program implemented pursuant  
30 to section 135.80.

31 f. Of the funds appropriated in this subsection,  
32 ~~\$19,131~~ \$38,263 shall be used for a grant to a  
33 statewide association of psychologists that is  
34 affiliated with the American psychological association  
35 to be used for continuation of a program to rotate  
36 intern psychologists in placements in urban and rural  
37 mental health professional shortage areas, as defined  
38 in section ~~135.80~~ 135.180.

39 g. Of the funds appropriated in this subsection,  
40 the following amounts shall be allocated to the Iowa  
41 collaborative safety net provider network established  
42 pursuant to section 135.153 to be used for the purposes  
43 designated. The following amounts allocated under  
44 this lettered paragraph shall be distributed to  
45 the specified provider and shall not be reduced for  
46 administrative or other costs prior to distribution:

47 (1) For distribution to the Iowa primary care  
48 association for statewide coordination of the Iowa  
49 collaborative safety net provider network:  
50 ..... \$ 66,290

1 70,000

2 (2) For distribution to the local boards of health

3 that provide direct services for pilot programs in

4 three counties to assist patients in determining an

5 appropriate medical home:

6 ..... \$ 38,804

7 77,609

8 (3) For distribution to maternal and child health

9 centers for pilot programs in three counties to assist

10 patients in determining an appropriate medical home:

11 ..... \$ 38,804

12 77,609

13 (4) For distribution to free clinics for necessary

14 infrastructure, statewide coordination, provider

15 recruitment, service delivery, and provision of

16 assistance to patients in determining an appropriate

17 medical home:

18 ..... \$ 62,025

19 124,050

20 (5) For distribution to rural health clinics for

21 necessary infrastructure, statewide coordination,

22 provider recruitment, service delivery, and provision

23 of assistance to patients in determining an appropriate

24 medical home:

25 ..... \$ 55,215

26 110,430

27 (6) For continuation of the safety net provider

28 patient access to specialty health care initiative as

29 described in 2007 Iowa Acts, chapter 218, section 109:

30 ..... \$ 130,000

31 260,000

32 (7) For continuation of the pharmaceutical

33 infrastructure for safety net providers as described in

34 2007 Iowa Acts, chapter 218, section 108:

35 ..... \$ 135,000

36 270,000

37 The Iowa collaborative safety net provider network

38 may continue to distribute funds allocated pursuant to

39 this lettered paragraph through existing contracts or

40 renewal of existing contracts.

41 ~~h. (1) Of the funds appropriated in this~~

42 ~~subsection, \$74,500 shall be used for continued~~

43 ~~implementation of the recommendations of the direct~~

44 ~~care worker task force established pursuant to 2005~~

45 ~~Iowa Acts, chapter 88, based upon the report submitted~~

46 ~~to the governor and the general assembly in December~~

47 ~~2006. The department may use a portion of the funds~~

48 ~~allocated in this lettered paragraph for an additional~~

49 ~~position to assist in the continued implementation.~~

50 ~~i. (1) Of the funds appropriated in this~~

1 subsection, ~~\$65,050~~ shall be used for allocation  
2 to an independent statewide direct care worker  
3 association under a contract with terms determined by  
4 the director of public health relating to education,  
5 outreach, leadership development, mentoring, and other  
6 initiatives intended to enhance the recruitment and  
7 retention of direct care workers in health care and  
8 long-term care settings.

9 (2) ~~Of the funds appropriated in this subsection,~~  
10 ~~\$29,000 shall be used to provide scholarships or~~  
11 ~~other forms of subsidization for direct care worker~~  
12 ~~educational conferences, training, or outreach~~  
13 ~~activities.~~

14 j. Of the funds appropriated in this subsection,  
15 the department may use up to ~~\$29,259~~ \$58,518 for up to  
16 one full-time equivalent position to administer the  
17 volunteer health care provider program pursuant to  
18 section 135.24.

19 k. Of the funds appropriated in this subsection,  
20 ~~\$25,000~~ \$50,000 shall be used for a matching dental  
21 education loan repayment program to be allocated to a  
22 dental nonprofit health service corporation to develop  
23 the criteria and implement the loan repayment program.

24 1. The amount appropriated in this subsection  
25 reflects a reduction in expenditures for office  
26 supplies, purchases of equipment, office equipment,  
27 printing and binding, and marketing, that shall  
28 be applied equitably to the programs under this  
29 subsection.

30 5. HEALTHY AGING

31 To provide public health services that reduce risks  
32 and invest in promoting and protecting good health over  
33 the course of a lifetime with a priority given to older  
34 Iowans and vulnerable populations:

35 ..... \$ ~~3,648,571~~  
36 7,297,142

37 a. Of the funds appropriated in this subsection,  
38 ~~\$1,004,593~~ \$2,009,187 shall be used for local public  
39 health nursing services.

40 b. Of the funds appropriated in this subsection,  
41 ~~\$2,643,977~~ \$5,287,955 shall be used for home care aide  
42 services.

43 6. ENVIRONMENTAL HAZARDS

44 For reducing the public's exposure to hazards in the  
45 environment, primarily chemical hazards, and for not  
46 more than the following full-time equivalent positions:

47 ..... \$ ~~406,888~~  
48 803,870

49 ..... FTEs 4.00

50 a. Of the funds appropriated in this subsection,

1 ~~\$272,188~~ \$544,377 shall be used for childhood lead  
2 poisoning provisions.

3 b. The amount appropriated in this subsection  
4 reflects a reduction in expenditures for office  
5 supplies, purchases of equipment, office equipment,  
6 printing and binding, and marketing, that shall  
7 be applied equitably to the programs under this  
8 subsection.

9 7. INFECTIOUS DISEASES

10 For reducing the incidence and prevalence of  
11 communicable diseases, and for not more than the  
12 following full-time equivalent positions:

13 .....	\$	<u>672,923</u>
14 .....		<u>1,335,155</u>
15 .....	FTEs	<u>4.00</u>

16 The amount appropriated in this subsection reflects  
17 a reduction in expenditures for office supplies,  
18 purchases of equipment, office equipment, printing and  
19 binding, and marketing, that shall be applied equitably  
20 to the programs under this subsection.

21 8. PUBLIC PROTECTION

22 For protecting the health and safety of the  
23 public through establishing standards and enforcing  
24 regulations, and for not more than the following  
25 full-time equivalent positions:

26 .....	\$	<u>1,388,116</u>
27 .....		<u>2,693,384</u>
28 .....	FTEs	<u>125.00</u>

29 a. Of the funds appropriated in this subsection,  
30 not more than ~~\$235,845~~ \$471,690 shall be credited to  
31 the emergency medical services fund created in section  
32 135.25. Moneys in the emergency medical services fund  
33 are appropriated to the department to be used for the  
34 purposes of the fund.

35 b. Of the funds appropriated in this subsection,  
36 ~~\$105,309~~ \$210,619 shall be used for sexual violence  
37 prevention programming through a statewide organization  
38 representing programs serving victims of sexual  
39 violence through the department's sexual violence  
40 prevention program. The amount allocated in this  
41 lettered paragraph shall not be used to supplant  
42 funding administered for other sexual violence  
43 prevention or victims assistance programs.

44 c. Of the funds appropriated in this subsection,  
45 not more than ~~\$218,291~~ \$539,477 shall be used for the  
46 state poison control center.

47 d. Of the funds appropriated in this subsection,  
48 \$50,000 shall be used for implementation of 2012 Iowa  
49 Acts, Senate File 364, if enacted.

50 e. The amount appropriated in this subsection

1 reflects a reduction in expenditures for office  
2 supplies, purchases of equipment, office equipment,  
3 printing and binding, and marketing, that shall  
4 be applied equitably to the programs under this  
5 subsection.

6 9. RESOURCE MANAGEMENT

7 For establishing and sustaining the overall  
8 ability of the department to deliver services to the  
9 public, and for not more than the following full-time  
10 equivalent positions:

11 .....	\$	409,777
12 .....		734,500
13 .....	FTEs	7.00

14 The amount appropriated in this subsection reflects  
15 a reduction in expenditures for office supplies,  
16 purchases of equipment, office equipment, printing and  
17 binding, and marketing, that shall be applied equitably  
18 to the programs under this subsection.

19 The university of Iowa hospitals and clinics under  
20 the control of the state board of regents shall not  
21 receive indirect costs from the funds appropriated in  
22 this section. The university of Iowa hospitals and  
23 clinics billings to the department shall be on at least  
24 a quarterly basis.

25 The department shall review and make recommendations  
26 for consolidating or eliminating boards, commissions,  
27 committees, councils, and other entities within  
28 the departmental organization and under the purview  
29 of the department to increase efficiencies and  
30 reduce duplication. The department shall submit its  
31 recommendations for consolidation or elimination to the  
32 individuals specified in this Act for submission of  
33 reports by December 15, 2012.

34 DIVISION III

35 DEPARTMENT OF VETERANS AFFAIRS

36 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,  
37 is amended to read as follows:

38 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There  
39 is appropriated from the general fund of the state to  
40 the department of veterans affairs for the fiscal year  
41 beginning July 1, 2012, and ending June 30, 2013, the  
42 following amounts, or so much thereof as is necessary,  
43 to be used for the purposes designated:

44 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

45 For salaries, support, maintenance, and  
46 miscellaneous purposes, including the war orphans  
47 educational assistance fund created in section  
48 35.8, and for not more than the following full-time  
49 equivalent positions:

50 .....	\$	499,416
----------	----	---------

1		1,025,819
2	..... FTEs	16.34
3	2. IOWA VETERANS HOME	
4	For salaries, support, maintenance, and	
5	miscellaneous purposes:	
6	..... \$	4,476,075
7		8,775,714
8	a. The Iowa veterans home billings involving the	
9	department of human services shall be submitted to the	
10	department on at least a monthly basis.	
11	b. If there is a change in the employer of	
12	employees providing services at the Iowa veterans home	
13	under a collective bargaining agreement, such employees	
14	and the agreement shall be continued by the successor	
15	employer as though there had not been a change in	
16	employer.	
17	c. Within available resources and in conformance	
18	with associated state and federal program eligibility	
19	requirements, the Iowa veterans home may implement	
20	measures to provide financial assistance to or	
21	on behalf of veterans or their spouses <u>who are</u>	
22	participating in the community reentry program.	
23	d. <u>The Iowa veterans home expenditure report</u>	
24	<u>shall be submitted monthly to the legislative services</u>	
25	<u>agency.</u>	
26	e. <u>The funds appropriated in this subsection</u>	
27	<u>to the Iowa veterans home that remain available for</u>	
28	<u>expenditure for the succeeding fiscal year pursuant to</u>	
29	<u>section 35D.18, subsection 5, shall be distributed to</u>	
30	<u>be used in the succeeding fiscal year in accordance</u>	
31	<u>with this lettered paragraph. The first \$500,000 shall</u>	
32	<u>remain available to be used for the purposes of the</u>	
33	<u>Iowa veterans home. On or before October 15, 2013, the</u>	
34	<u>department of management shall transfer the remaining</u>	
35	<u>balance to the veterans trust fund created in section</u>	
36	<u>35A.13.</u>	
37	f. <u>The amount appropriated in this subsection</u>	
38	<u>reflects a reduction in expenditures for office</u>	
39	<u>supplies, purchases of equipment, office equipment,</u>	
40	<u>printing and binding, and marketing, that shall</u>	
41	<u>be applied equitably to the programs under this</u>	
42	<u>subsection.</u>	
43	3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF	
44	DECEASED VETERANS	
45	For provision of educational assistance pursuant to	
46	section 35.9:	
47	..... \$	6,208
48		12,416
49	4. HOME OWNERSHIP ASSISTANCE PROGRAM	
50	<u>For transfer to the Iowa finance authority for the</u>	



1 continuation of the home ownership assistance program  
2 for persons who are or were eligible members of the  
3 armed forces of the United States, pursuant to section  
4 16.54:

5 ..... \$ 1,600,000

6 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,  
7 is amended to read as follows:

8 SEC. 116. LIMITATION OF COUNTY

9 COMMISSION OF VETERANS AFFAIRS FUND STANDING

10 APPROPRIATIONS. Notwithstanding the standing  
11 appropriation in the following designated section for  
12 the fiscal year beginning July 1, 2012, and ending June  
13 30, 2013, the amounts appropriated from the general  
14 fund of the state pursuant to that section for the  
15 following designated purposes shall not exceed the  
16 following amount:

17 For the county commissions of veterans affairs fund  
18 under section 35A.16:

19 ..... \$ 495,000  
20 ..... 990,000

21 DIVISION IV

22 DEPARTMENT OF HUMAN SERVICES

23 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,  
24 is amended to read as follows:

25 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

26 BLOCK GRANT. There is appropriated from the fund  
27 created in section 8.41 to the department of human  
28 services for the fiscal year beginning July 1, 2012,  
29 and ending June 30, 2013, from moneys received under  
30 the federal temporary assistance for needy families  
31 (TANF) block grant pursuant to the federal Personal  
32 Responsibility and Work Opportunity Reconciliation  
33 Act of 1996, Pub. L. No. 104-193, and successor  
34 legislation, and from moneys received under the  
35 emergency contingency fund for temporary assistance  
36 for needy families state program established pursuant  
37 to the federal American Recovery and Reinvestment  
38 Act of 2009, Pub. L. No. 111-5 § 2101, and successor  
39 legislation, the following amounts, or so much  
40 thereof as is necessary, to be used for the purposes  
41 designated:

42 1. To be credited to the family investment program  
43 account and used for assistance under the family  
44 investment program under chapter 239B:

45 ..... \$ 10,750,369  
46 ..... 19,790,365

47 2. To be credited to the family investment program  
48 account and used for the job opportunities and  
49 basic skills (JOBS) program and implementing family  
50 investment agreements in accordance with chapter 239B:

1 ..... \$ ~~6,205,764~~  
2 ..... 12,411,528  
3     3. To be used for the family development and  
4 self-sufficiency grant program in accordance with  
5 section 216A.107:  
6 ..... \$ ~~1,449,490~~  
7 ..... 2,898,980  
8     Notwithstanding section 8.33, moneys appropriated in  
9 this subsection that remain unencumbered or unobligated  
10 at the close of the fiscal year shall not revert but  
11 shall remain available for expenditure for the purposes  
12 designated until the close of the succeeding fiscal  
13 year. However, unless such moneys are encumbered or  
14 obligated on or before September 30, 2013, the moneys  
15 shall revert.  
16     4. For field operations:  
17 ..... \$ ~~15,648,116~~  
18 ..... 31,296,232  
19     5. For general administration:  
20 ..... \$ ~~1,872,000~~  
21 ..... 3,744,000  
22     6. For state child care assistance:  
23 ..... \$ ~~8,191,343~~  
24 ..... 16,382,687  
25     The funds appropriated in this subsection shall be  
26 transferred to the child care and development block  
27 grant appropriation made pursuant to 2011 Iowa Acts,  
28 chapter 126, section 32, by the Eighty-fourth General  
29 Assembly, ~~2012~~ 2011 Session, for the federal fiscal  
30 year beginning October 1, 2012, and ending September  
31 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall  
32 be used for provision of educational opportunities  
33 to registered child care home providers in order to  
34 improve services and programs offered by this category  
35 of providers and to increase the number of providers.  
36 The department may contract with institutions of higher  
37 education or child care resource and referral centers  
38 to provide the educational opportunities. Allowable  
39 administrative costs under the contracts shall not  
40 exceed 5 percent. The application for a grant shall  
41 not exceed two pages in length.  
42     7. For distribution to counties for state case  
43 services for persons with mental health and illness,  
44 an intellectual disability, or a developmental  
45 disabilities community services disability in  
46 accordance with section 331.440:  
47 ..... \$ ~~2,447,026~~  
48 ..... 4,894,052  
49     8. For child and family services:  
50 ..... \$ ~~16,042,215~~

1 32,084,430  
 2     9. For child abuse prevention grants:  
 3 ..... \$ 62,500  
 4 125,000  
 5     10. For pregnancy prevention grants ~~on the~~  
 6 ~~condition that family planning services are funded:~~  
 7 ..... \$ 965,033  
 8 1,930,067  
 9     Pregnancy prevention grants shall be awarded to  
 10 programs in existence on or before July 1, 2012, if the  
 11 programs have demonstrated positive outcomes. Grants  
 12 shall be awarded to pregnancy prevention programs  
 13 which are developed after July 1, 2012, if the programs  
 14 are based on existing models that have demonstrated  
 15 positive outcomes. Grants shall comply with the  
 16 requirements provided in 1997 Iowa Acts, chapter  
 17 208, section 14, subsections 1 and 2, including the  
 18 requirement that grant programs must emphasize sexual  
 19 abstinence. Priority in the awarding of grants shall  
 20 be given to programs that serve areas of the state  
 21 which demonstrate the highest percentage of unplanned  
 22 pregnancies of females of childbearing age within the  
 23 geographic area to be served by the grant.  
 24     11. For technology needs and other resources  
 25 necessary to meet federal welfare reform reporting,  
 26 tracking, and case management requirements:  
 27 ..... \$ 518,593  
 28 1,037,186  
 29     12. To be credited to the state child care  
 30 assistance appropriation made in this section to be  
 31 used for funding of community-based early childhood  
 32 programs targeted to children from birth through five  
 33 years of age developed by early childhood Iowa areas as  
 34 provided in section 256I.11:  
 35 ..... \$ 3,175,000  
 36 6,350,000  
 37     The department shall transfer TANF block grant  
 38 funding appropriated and allocated in this subsection  
 39 to the child care and development block grant  
 40 appropriation in accordance with federal law as  
 41 necessary to comply with the provisions of this  
 42 subsection.  
 43     13. a. Notwithstanding any provision to the  
 44 contrary, including but not limited to requirements  
 45 in section 8.41 or provisions in 2011 or 2012 Iowa  
 46 Acts regarding the receipt and appropriation of  
 47 federal block grants, federal funds from the emergency  
 48 ~~contingency fund for temporary assistance for needy~~  
 49 ~~families state program established pursuant to the~~  
 50 ~~federal American Recovery and Reinvestment Act of 2009,~~

1 ~~Pub. L. No. 111-5 § 2101, block grant received by the~~  
2 ~~state during the fiscal year beginning July 1, 2011,~~  
3 ~~and ending June 30, 2012, not otherwise appropriated~~  
4 ~~in this section and remaining available as of for~~  
5 ~~the fiscal year beginning July 1, 2012, and received~~  
6 ~~by the state during the fiscal year beginning July~~  
7 ~~1, 2012, and ending June 30, 2013, are appropriated~~  
8 ~~to the department of human services to the extent as~~  
9 ~~may be necessary to be used in the following priority~~  
10 ~~order: the family investment program for the fiscal~~  
11 ~~year and for state child care assistance program~~  
12 ~~payments for individuals enrolled in the family~~  
13 ~~investment program who are employed. The federal funds~~  
14 ~~appropriated in this paragraph "a" shall be expended~~  
15 ~~only after all other funds appropriated in subsection 1~~  
16 ~~for the assistance under the family investment program~~  
17 ~~under chapter 239B have been expended.~~

18 b. The department shall, on a quarterly basis,  
19 advise the legislative services agency and department  
20 of management of the amount of funds appropriated in  
21 this subsection that was expended in the prior quarter.

22 14. Of the amounts appropriated in this section,  
23 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning  
24 July 1, 2012, shall be transferred to the appropriation  
25 of the federal social services block grant made for  
26 that fiscal year.

27 15. For continuation of the program allowing the  
28 department to maintain categorical eligibility for the  
29 food assistance program as required under the section  
30 of this division relating to the family investment  
31 account:

32 ..... \$ 73,036  
33 25,000

34 16. The department may transfer funds allocated  
35 in this section to the appropriations made in this  
36 division of this Act for general administration and  
37 field operations for resources necessary to implement  
38 and operate the services referred to in this section  
39 and those funded in the appropriation made in this  
40 division of this Act for the family investment program  
41 from the general fund of the state.

42 Sec. 6. 2011 Iowa Acts, chapter 129, section 118,  
43 is amended to read as follows:

44 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

45 1. Moneys credited to the family investment program  
46 (FIP) account for the fiscal year beginning July  
47 1, 2012, and ending June 30, 2013, shall be used to  
48 provide assistance in accordance with chapter 239B.

49 2. The department may use a portion of the moneys  
50 credited to the FIP account under this section as

1 necessary for salaries, support, maintenance, and  
2 miscellaneous purposes.

3 3. The department may transfer funds allocated in  
4 this section to the appropriations in this division  
5 of this Act for general administration and field  
6 operations for resources necessary to implement and  
7 operate the services referred to in this section and  
8 those funded in the appropriation made in this division  
9 of this Act for the family investment program from the  
10 general fund of the state.

11 4. Moneys appropriated in this division of this Act  
12 and credited to the FIP account for the fiscal year  
13 beginning July 1, 2012, and ending June 30, 2013, are  
14 allocated as follows:

15 a. To be retained by the department of human  
16 services to be used for coordinating with the  
17 department of human rights to more effectively serve  
18 participants in the FIP program and other shared  
19 clients and to meet federal reporting requirements  
20 under the federal temporary assistance for needy  
21 families block grant:

22 ..... \$ 10,000  
23 20,000

24 b. To the department of human rights for staffing,  
25 administration, and implementation of the family  
26 development and self-sufficiency grant program in  
27 accordance with section 216A.107:

28 ..... \$ 2,671,417  
29 5,342,834

30 (1) Of the funds allocated for the family  
31 development and self-sufficiency grant program in this  
32 lettered paragraph, not more than 5 percent of the  
33 funds shall be used for the administration of the grant  
34 program.

35 (2) The department of human rights may continue to  
36 implement the family development and self-sufficiency  
37 grant program statewide during fiscal year 2012-2013.

38 c. For the diversion subaccount of the FIP account:

39 ..... \$ 849,200  
40 1,698,400

41 A portion of the moneys allocated for the subaccount  
42 may be used for field operations salaries, data  
43 management system development, and implementation  
44 costs and support deemed necessary by the director of  
45 human services in order to administer the FIP diversion  
46 program.

47 d. For the food stamp employment and training  
48 program:

49 ..... \$ 33,294  
50 66,588

1 (1) The department shall amend the food stamp  
2 employment and training state plan in order to maximize  
3 to the fullest extent permitted by federal law the  
4 use of the 50-50 match provisions for the claiming  
5 of allowable federal matching funds from the United  
6 States department of agriculture pursuant to the  
7 federal food stamp employment and training program for  
8 providing education, employment, and training services  
9 for eligible food assistance program participants,  
10 including but not limited to related dependent care and  
11 transportation expenses.

12 (2) The department shall continue the categorical  
13 federal food assistance program eligibility at 160  
14 percent of the federal poverty level and continue to  
15 eliminate the asset test from eligibility requirements,  
16 consistent with federal food assistance program  
17 requirements. The department shall include as many  
18 food assistance households as is allowed by federal  
19 law. The eligibility provisions shall conform to all  
20 federal requirements including requirements addressing  
21 individuals who are incarcerated or otherwise  
22 ineligible.

23 e. For the JOBS program:

24 ..... \$ ~~10,117,952~~  
25 20,235,905

26 5. Of the child support collections assigned under  
27 FIP, an amount equal to the federal share of support  
28 collections shall be credited to the child support  
29 recovery appropriation made in this division of this  
30 Act. Of the remainder of the assigned child support  
31 collections received by the child support recovery  
32 unit, a portion shall be credited to the FIP account,  
33 a portion may be used to increase recoveries, and a  
34 portion may be used to sustain cash flow in the child  
35 support payments account. If as a consequence of the  
36 appropriations and allocations made in this section  
37 the resulting amounts are insufficient to sustain  
38 cash assistance payments and meet federal maintenance  
39 of effort requirements, the department shall seek  
40 supplemental funding. If child support collections  
41 assigned under FIP are greater than estimated or are  
42 otherwise determined not to be required for maintenance  
43 of effort, the state share of either amount may be  
44 transferred to or retained in the child support payment  
45 account.

46 6. The department may adopt emergency rules for  
47 the family investment, JOBS, food stamp, and medical  
48 assistance programs if necessary to comply with federal  
49 requirements.

50 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,

1 is amended to read as follows:

2 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL  
3 FUND. There is appropriated from the general fund of  
4 the state to the department of human services for the  
5 fiscal year beginning July 1, 2012, and ending June 30,  
6 2013, the following amount, or so much thereof as is  
7 necessary, to be used for the purpose designated:

8 To be credited to the family investment program  
9 (FIP) account and used for family investment program  
10 assistance under chapter 239B:

11 ..... \$ ~~25,085,513~~  
12 45,286,573

13 1. Of the funds appropriated in this section,  
14 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS  
15 program.

16 2. Of the funds appropriated in this section,  
17 ~~\$1,231,927~~ \$2,463,854 is allocated for the family  
18 development and self-sufficiency grant program.

19 3. Notwithstanding section 8.39, for the fiscal  
20 year beginning July 1, 2012, if necessary to meet  
21 federal maintenance of effort requirements or to  
22 transfer federal temporary assistance for needy  
23 families block grant funding to be used for purposes  
24 of the federal social services block grant or to meet  
25 cash flow needs resulting from delays in receiving  
26 federal funding or to implement, in accordance with  
27 this division of this Act, activities currently funded  
28 with juvenile court services, county, or community  
29 moneys and state moneys used in combination with such  
30 moneys, the department of human services may transfer  
31 funds within or between any of the appropriations made  
32 in this division of this Act and appropriations in law  
33 for the federal social services block grant to the  
34 department for the following purposes, provided that  
35 the combined amount of state and federal temporary  
36 assistance for needy families block grant funding for  
37 each appropriation remains the same before and after  
38 the transfer:

39 a. For the family investment program.  
40 b. For child care assistance.  
41 c. For child and family services.  
42 d. For field operations.  
43 e. For general administration.  
44 f. ~~MH/MR/DD/BI community services (local purchase).~~  
45 For distribution to counties for state case services  
46 for persons with mental illness, an intellectual  
47 disability, or a developmental disability in accordance  
48 with section 331.440.

49 This subsection shall not be construed to prohibit  
50 the use of existing state transfer authority for other

1 purposes. The department shall report any transfers  
2 made pursuant to this subsection to the legislative  
3 services agency.

4 4. Of the funds appropriated in this section,  
5 ~~\$97,839~~ \$195,678 shall be used for continuation of a  
6 grant to an Iowa-based nonprofit organization with a  
7 history of providing tax preparation assistance to  
8 low-income Iowans in order to expand the usage of the  
9 earned income tax credit. The purpose of the grant is  
10 to supply this assistance to underserved areas of the  
11 state.

12 5. The amount appropriated in this section reflects  
13 a reduction in expenditures for office supplies,  
14 purchases of equipment, office equipment, printing and  
15 binding, and marketing, that shall be applied equitably  
16 to the programs under this section.

17 6. The department may transfer funds appropriated  
18 in this section to the appropriations made in this  
19 division of this Act for general administration and  
20 field operations as necessary to administer this  
21 section and the overall family investment program.

22 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,  
23 is amended to read as follows:

24 SEC. 120. CHILD SUPPORT RECOVERY. There is  
25 appropriated from the general fund of the state to  
26 the department of human services for the fiscal year  
27 beginning July 1, 2012, and ending June 30, 2013, the  
28 following amount, or so much thereof as is necessary,  
29 to be used for the purposes designated:

30 For child support recovery, including salaries,  
31 support, maintenance, and miscellaneous purposes, and  
32 for not more than the following full-time equivalent  
33 positions:  
34 ..... \$ ~~6,559,627~~  
35 ..... 12,549,560  
36 ..... FTEs 475.00

37 1. The department shall expend up to ~~\$12,164~~  
38 \$24,329, including federal financial participation, for  
39 the fiscal year beginning July 1, 2012, for a child  
40 support public awareness campaign. The department and  
41 the office of the attorney general shall cooperate in  
42 continuation of the campaign. The public awareness  
43 campaign shall emphasize, through a variety of media  
44 activities, the importance of maximum involvement of  
45 both parents in the lives of their children as well as  
46 the importance of payment of child support obligations.

47 2. Federal access and visitation grant moneys shall  
48 be issued directly to private not-for-profit agencies  
49 that provide services designed to increase compliance  
50 with the child access provisions of court orders,



1 including but not limited to neutral visitation sites  
2 and mediation services.  
3 3. The appropriation made to the department for  
4 child support recovery may be used throughout the  
5 fiscal year in the manner necessary for purposes of  
6 cash flow management, and for cash flow management  
7 purposes the department may temporarily draw more  
8 than the amount appropriated, provided the amount  
9 appropriated is not exceeded at the close of the fiscal  
10 year.

11 4. With the exception of the funding amount  
12 specified, the requirements established under 2001  
13 Iowa Acts, chapter 191, section 3, subsection 5,  
14 paragraph "c", subparagraph (3), shall be applicable  
15 to parental obligation pilot projects for the fiscal  
16 year beginning July 1, 2012, and ending June 30,  
17 2013. Notwithstanding 441 IAC 100.8, providing for  
18 termination of rules relating to the pilot projects,  
19 the rules shall remain in effect until June 30, 2013.

20 5. The amount appropriated in this section reflects  
21 a reduction in expenditures for office supplies,  
22 purchases of equipment, office equipment, printing and  
23 binding, and marketing.

24 MEDICAL ASSISTANCE PROGRAM

25 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,  
26 unnumbered paragraph 2, is amended to read as follows:

27 For medical assistance program reimbursement and  
28 associated costs as specifically provided in the  
29 reimbursement methodologies in effect on June 30,  
30 2012, except as otherwise expressly authorized by  
31 law, and consistent with options under federal law and  
32 regulations:

33 ..... ~~\$914,993,421~~  
34 950,526,658

35 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

36 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,  
37 subsection 11, paragraph a, unnumbered paragraph 1, is  
38 amended to read as follows:

39 Of the funds appropriated in this section,  
40 ~~\$7,425,684~~ \$7,678,245 is allocated for the state  
41 match for a disproportionate share hospital payment  
42 of \$19,133,430 to hospitals that meet both of the  
43 conditions specified in subparagraphs (1) and (2).  
44 In addition, the hospitals that meet the conditions  
45 specified shall either certify public expenditures  
46 or transfer to the medical assistance program an  
47 amount equal to provide the nonfederal share for a  
48 disproportionate share hospital payment of \$7,500,000.  
49 The hospitals that meet the conditions specified  
50 shall receive and retain 100 percent of the total

1 disproportionate share hospital payment of \$26,633,430.

2 MEDICAL ASSISTANCE — IOWACARE TRANSFER

3 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,  
4 subsection 13, is amended to read as follows:

5 13. Of the funds appropriated in this section,  
6 up to ~~\$4,480,304~~ \$8,684,329 may be transferred to the  
7 IowaCare account created in section 249J.24.

8 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

9 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,  
10 subsection 20, paragraphs a and d, are amended to read  
11 as follows:

12 a. The department may continue to implement cost  
13 containment strategies recommended by the governor, ~~and~~  
14 for the fiscal year beginning July 1, 2011, and shall  
15 implement new strategies for the fiscal year beginning  
16 July 1, 2012, as specified in this division of this  
17 2012 Act. It is the intent of the general assembly  
18 that the cost containment strategies are implemented  
19 only to the extent necessary to achieve projected  
20 savings. The department may adopt emergency rules for  
21 such implementation.

22 d. If the savings to the medical assistance program  
23 for the fiscal year beginning July 1, 2012, exceed  
24 the cost, the department may transfer any savings  
25 generated for the fiscal year due to medical assistance  
26 program cost containment efforts initiated pursuant  
27 to 2010 Iowa Acts, chapter 1031, Executive Order No.  
28 20, issued December 16, 2009, or cost containment  
29 strategies initiated pursuant to this subsection, to  
30 the appropriation made in this division of this Act  
31 for medical contracts or general administration to  
32 defray the increased contract costs associated with  
33 implementing such efforts.

34 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,  
35 is amended by adding the following new subsections:

36 NEW SUBSECTION. 23. The department shall align  
37 reimbursement for prescription drugs administered by a  
38 physician to be equivalent to the reimbursement for the  
39 same prescription drug when dispensed by a pharmacy.

40 NEW SUBSECTION. 24. The department shall implement  
41 a hospital inpatient reimbursement policy to provide  
42 for the combining of an original claim for an inpatient  
43 stay with a claim for a subsequent inpatient stay when  
44 the patient is admitted within seven days of discharge  
45 from the original hospital stay for the same condition.

46 NEW SUBSECTION. 25. The department shall  
47 transition payment for and administration of services  
48 provided by psychiatric medical institutions for  
49 children to the Iowa plan.

50 NEW SUBSECTION. 26. The department shall adjust

1 medical assistance reimbursement rates for physician  
2 services by applying a site-of-service differential to  
3 reflect the difference between the cost of physician  
4 services when provided in a health facility setting  
5 and the cost of physician services when provided in a  
6 physician's office. The adjustment shall be applied  
7 in a manner that does not exceed \$1 million in medical  
8 assistance program cost savings annually.

9 NEW SUBSECTION. 27. The amount appropriated in  
10 this section reflects a reduction in expenditures  
11 for office supplies, purchases of equipment, office  
12 equipment, printing and binding, and marketing, that  
13 shall be applied equitably to the programs under this  
14 section.

15 **MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH**  
16 **DISABILITIES**

17 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,  
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 28. The department of human  
20 services shall adopt rules for the Medicaid for  
21 employed people with disabilities program to provide  
22 that until such time as the department adopts  
23 rules, annually, to implement the most recently  
24 revised poverty guidelines published by the United  
25 States department of health and human services, the  
26 calculation of gross income eligibility and premium  
27 amounts shall not include any increase in unearned  
28 income attributable to a social security cost-of-living  
29 adjustment for an individual or member of the  
30 individual's family whose unearned income is included  
31 in such calculation.

32 **OUTPATIENT CLINICAL SERVICE FOR CHILDREN**

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,  
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 29. a. Of the funds appropriated  
36 in this section, not more than \$50,000 shall be used  
37 to provide cost-based reimbursement for 100 percent  
38 of the reasonable costs for provision of outpatient  
39 clinical services for children who are recipients  
40 of medical assistance. In order to be eligible for  
41 reimbursement under this subsection, a provider shall  
42 be an accredited, nonprofit agency that meets all of  
43 the following criteria on or before January 1, 2012:

44 (1) Provides clinical outpatient services to  
45 children of whom at least 60 percent are recipients of  
46 medical assistance.

47 (2) Provides inpatient services licensed under  
48 chapter 135H, outpatient services, psychiatric  
49 and psychological services, and behavioral health  
50 intervention services for children.

1 (3) Directly employs a full-time psychiatrist,  
2 psychologist, and licensed therapist.

3 b. The department of human services shall seek  
4 federal approval to amend the medical assistance  
5 program state plan and shall amend the contract with  
6 the department's managed care contractor for behavioral  
7 health services under the medical assistance program to  
8 provide reimbursement as specified in this subsection.

9 Implementation of this subsection is contingent  
10 upon receipt of such federal approval and total  
11 reimbursements are limited to the funding allocated  
12 under this subsection.

13 c. For the purposes of this subsection, "outpatient  
14 services" means psychiatric care, psychological care,  
15 and treatment services, but does not include behavioral  
16 health intervention services or child welfare  
17 services as defined for existing providers under the  
18 department's managed care contract for behavioral  
19 health services.

20 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

21 Sec. 16. 2011 Iowa Acts, chapter 129, section 122,  
22 is amended by adding the following new subsection:

23 NEW SUBSECTION. 30. The funds received through  
24 participation in the medical assistance state balancing  
25 incentive payments program created pursuant to section  
26 10202 of the federal Patient Protection and Affordable  
27 Care Act of 2010, Pub. L. No. 111-148 (2010), as  
28 amended by the federal Health Care and Education  
29 Reconciliation Act of 2010, Pub. L. No. 111-152,  
30 shall be used by the department of human services to  
31 comply with the requirements of the program including  
32 developing a no wrong door single entry point system;  
33 providing a conflict-free case management system;  
34 providing core standardized assessment instruments;  
35 complying with data collection requirements relating to  
36 services, quality, and outcomes; meeting the applicable  
37 target spending percentage required under the program  
38 to rebalance long-term care spending under the medical  
39 assistance program between home and community-based  
40 services and institution-based services; and for new or  
41 expanded medical assistance program non-institutionally  
42 based long-term care services and supports.

43 Sec. 17. 2011 Iowa Acts, chapter 129, section 123,  
44 is amended to read as follows:

45 SEC. 123. MEDICAL CONTRACTS. There is appropriated  
46 from the general fund of the state to the department of  
47 human services for the fiscal year beginning July 1,  
48 2012, and ending June 30, 2013, the following amount,  
49 or so much thereof as is necessary, to be used for the  
50 purpose designated:

1 For medical contracts:  
2 ..... \$ ~~5,453,728~~  
3 7,117,155

4 1. The department of inspections and appeals  
5 shall provide all state matching funds for survey and  
6 certification activities performed by the department  
7 of inspections and appeals. The department of human  
8 services is solely responsible for distributing the  
9 federal matching funds for such activities.

10 2. Of the funds appropriated in this section,  
11 ~~\$25,000~~ \$50,000 shall be used for continuation of home  
12 and community-based services waiver quality assurance  
13 programs, including the review and streamlining of  
14 processes and policies related to oversight and quality  
15 management to meet state and federal requirements.

16 3. Of the amount appropriated in this section, up  
17 to \$200,000 may be transferred to the appropriation for  
18 general administration in this division of this Act to  
19 be used for additional full-time equivalent positions  
20 in the development of key health initiatives such as  
21 cost containment, development and oversight of managed  
22 care programs, and development of health strategies  
23 targeted toward improved quality and reduced costs in  
24 the Medicaid program.

25 4. The amount appropriated in this section reflects  
26 a reduction in expenditures for office supplies,  
27 purchases of equipment, office equipment, printing and  
28 binding, and marketing budgeted for under this section.

29 Sec. 18. 2011 Iowa Acts, chapter 129, section 124,  
30 is amended to read as follows:

31 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

32 1. There is appropriated from the general fund of  
33 the state to the department of human services for the  
34 fiscal year beginning July 1, 2012, and ending June 30,  
35 2013, the following amount, or so much thereof as is  
36 necessary, to be used for the purpose designated:

37 For the state supplementary assistance program:  
38 ..... \$ ~~8,425,373~~  
39 15,450,747

40 2. The department shall increase the personal needs  
41 allowance for residents of residential care facilities  
42 by the same percentage and at the same time as federal  
43 supplemental security income and federal social  
44 security benefits are increased due to a recognized  
45 increase in the cost of living. The department may  
46 adopt emergency rules to implement this subsection.

47 3. If during the fiscal year beginning July 1,  
48 2012, the department projects that state supplementary  
49 assistance expenditures for a calendar year will not  
50 meet the federal pass-through requirement specified

1 in Tit. XVI of the federal Social Security Act,  
2 section 1618, as codified in 42 U.S.C. § 1382g,  
3 the department may take actions including but not  
4 limited to increasing the personal needs allowance  
5 for residential care facility residents and making  
6 programmatic adjustments or upward adjustments of the  
7 residential care facility or in-home health-related  
8 care reimbursement rates prescribed in this division of  
9 this Act to ensure that federal requirements are met.  
10 In addition, the department may make other programmatic  
11 and rate adjustments necessary to remain within the  
12 amount appropriated in this section while ensuring  
13 compliance with federal requirements. The department  
14 may adopt emergency rules to implement the provisions  
15 of this subsection.

16 Sec. 19. 2011 Iowa Acts, chapter 129, section 125,  
17 is amended to read as follows:

18 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

19 1. There is appropriated from the general fund of  
20 the state to the department of human services for the  
21 fiscal year beginning July 1, 2012, and ending June 30,  
22 2013, the following amount, or so much thereof as is  
23 necessary, to be used for the purpose designated:

24 For maintenance of the healthy and well kids in Iowa  
25 (hawk-i) program pursuant to chapter 514I, including  
26 supplemental dental services, for receipt of federal  
27 financial participation under Tit. XXI of the federal  
28 Social Security Act, which creates the children's  
29 health insurance program:

30 ..... \$ ~~16,403,051~~  
31 36,806,102

32 2. Of the funds appropriated in this section,  
33 ~~\$64,475~~ \$141,450 is allocated for continuation of the  
34 contract for outreach with the department of public  
35 health.

36 Sec. 20. 2011 Iowa Acts, chapter 129, section 126,  
37 is amended to read as follows:

38 SEC. 126. CHILD CARE ASSISTANCE. There is  
39 appropriated from the general fund of the state to  
40 the department of human services for the fiscal year  
41 beginning July 1, 2012, and ending June 30, 2013, the  
42 following amount, or so much thereof as is necessary,  
43 to be used for the purpose designated:

44 For child care programs:

45 ..... \$ ~~26,618,831~~  
46 61,064,552

47 1. Of the funds appropriated in this section,  
48 ~~\$25,948,041~~ \$59,695,125 shall be used for state child  
49 care assistance in accordance with section 237A.13.

50 2. Nothing in this section shall be construed or

1 is intended as or shall imply a grant of entitlement  
2 for services to persons who are eligible for assistance  
3 due to an income level consistent with the waiting  
4 list requirements of section 237A.13. Any state  
5 obligation to provide services pursuant to this section  
6 is limited to the extent of the funds appropriated in  
7 this section.

8 3. Of the funds appropriated in this section,  
9 ~~\$216,226~~ \$432,453 is allocated for the statewide  
10 program for child care resource and referral services  
11 under section 237A.26. A list of the registered and  
12 licensed child care facilities operating in the area  
13 served by a child care resource and referral service  
14 shall be made available to the families receiving state  
15 child care assistance in that area.

16 4. Of the funds appropriated in this section,  
17 ~~\$468,487~~ \$936,974 is allocated for child care quality  
18 improvement initiatives including but not limited to  
19 the voluntary quality rating system in accordance with  
20 section 237A.30.

21 5. The department may use any of the funds  
22 appropriated in this section as a match to obtain  
23 federal funds for use in expanding child care  
24 assistance and related programs. For the purpose of  
25 expenditures of state and federal child care funding,  
26 funds shall be considered obligated at the time  
27 expenditures are projected or are allocated to the  
28 department's service areas. Projections shall be based  
29 on current and projected caseload growth, current and  
30 projected provider rates, staffing requirements for  
31 eligibility determination and management of program  
32 requirements including data systems management,  
33 staffing requirements for administration of the  
34 program, contractual and grant obligations and any  
35 transfers to other state agencies, and obligations for  
36 decategorization or innovation projects.

37 6. A portion of the state match for the federal  
38 child care and development block grant shall be  
39 provided as necessary to meet federal matching  
40 funds requirements through the state general fund  
41 appropriation made for child development grants and  
42 other programs for at-risk children in section 279.51.

43 7. If a uniform reduction ordered by the governor  
44 under section 8.31 or other operation of law,  
45 transfer, or federal funding reduction reduces the  
46 appropriation made in this section for the fiscal year,  
47 the percentage reduction in the amount paid out to or  
48 on behalf of the families participating in the state  
49 child care assistance program shall be equal to or  
50 less than the percentage reduction made for any other

1 purpose payable from the appropriation made in this  
2 section and the federal funding relating to it. The  
3 percentage reduction to the other allocations made in  
4 this section shall be the same as the uniform reduction  
5 ordered by the governor or the percentage change of the  
6 federal funding reduction, as applicable. If there is  
7 an unanticipated increase in federal funding provided  
8 for state child care assistance, the entire amount  
9 of the increase shall be used for state child care  
10 assistance payments. If the appropriations made for  
11 purposes of the state child care assistance program for  
12 the fiscal year are determined to be insufficient, it  
13 is the intent of the general assembly to appropriate  
14 sufficient funding for the fiscal year in order to  
15 avoid establishment of waiting list requirements.

16 8. Notwithstanding section 8.33, moneys  
17 appropriated in this section or advanced for purposes  
18 of the programs developed by early childhood Iowa  
19 areas, advanced for purposes of wraparound child care,  
20 or received from the federal appropriations made for  
21 the purposes of this section that remain unencumbered  
22 or unobligated at the close of the fiscal year shall  
23 not revert to any fund but shall remain available for  
24 expenditure for the purposes designated until the close  
25 of the succeeding fiscal year.

26 9. The amount appropriated in this section reflects  
27 a reduction in expenditures for office supplies,  
28 purchases of equipment, office equipment, printing and  
29 binding, and marketing, that shall be applied equitably  
30 to the programs under this section.

31 Sec. 21. 2011 Iowa Acts, chapter 129, section 127,  
32 is amended to read as follows:

33 SEC. 127. JUVENILE INSTITUTIONS. There is  
34 appropriated from the general fund of the state to  
35 the department of human services for the fiscal year  
36 beginning July 1, 2012, and ending June 30, 2013, the  
37 following amounts, or so much thereof as is necessary,  
38 to be used for the purposes designated:

39 1. For operation of the Iowa juvenile home at  
40 Toledo and for salaries, support, maintenance, and  
41 miscellaneous purposes, and for not more than the  
42 following full-time equivalent positions:  
43 ..... \$ 4,129,125  
44 ..... 8,297,765  
45 ..... FTEs 114.00

46 The amount appropriated in this subsection reflects  
47 a reduction in expenditures for office supplies,  
48 purchases of equipment, office equipment, printing  
49 and binding, and marketing budgeted for under this  
50 subsection.



1       2. For operation of the state training school at  
2 Eldora and for salaries, support, maintenance, and  
3 miscellaneous purposes, and for not more than the  
4 following full-time equivalent positions:

5 ..... \$ 5,319,338  
6 ..... 10,680,143  
7 ..... FTEs 164.30

8       a. Of the funds appropriated in this subsection,  
9 ~~\$45,575~~ \$91,150 shall be used for distribution  
10 to licensed classroom teachers at this and other  
11 institutions under the control of the department of  
12 human services based upon the average student yearly  
13 enrollment at each institution as determined by the  
14 department.

15       b. The amount appropriated in this subsection  
16 reflects a reduction in expenditures for office  
17 supplies, purchases of equipment, office equipment,  
18 printing and binding, and marketing budgeted for under  
19 this subsection.

20       3. A portion of the moneys appropriated in this  
21 section shall be used by the state training school and  
22 by the Iowa juvenile home for grants for adolescent  
23 pregnancy prevention activities at the institutions in  
24 the fiscal year beginning July 1, 2012.

25       Sec. 22. 2011 Iowa Acts, chapter 129, section 128,  
26 is amended to read as follows:

27       SEC. 128. CHILD AND FAMILY SERVICES.

28       1. There is appropriated from the general fund of  
29 the state to the department of human services for the  
30 fiscal year beginning July 1, 2012, and ending June 30,  
31 2013, the following amount, or so much thereof as is  
32 necessary, to be used for the purpose designated:

33       For child and family services:

34 ..... \$ 41,415,081  
35 ..... 79,721,886

36       2. In order to address a reduction of \$5,200,000  
37 from the amount allocated under the appropriation made  
38 for the purposes of this section in prior years for  
39 purposes of juvenile delinquent graduated sanction  
40 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of  
41 federal temporary assistance for needy families block  
42 grant funding appropriated in this division of this Act  
43 for child and family services shall be made available  
44 for purposes of juvenile delinquent graduated sanction  
45 services.

46       3. The department may transfer funds appropriated  
47 in this section as necessary to pay the nonfederal  
48 costs of services reimbursed under the medical  
49 assistance program, state child care assistance  
50 program, or the family investment program which are

1 provided to children who would otherwise receive  
2 services paid under the appropriation in this section.  
3 The department may transfer funds appropriated in this  
4 section to the appropriations made in this division  
5 of this Act for general administration and for field  
6 operations for resources necessary to implement and  
7 operate the services funded in this section. The  
8 department may transfer funds appropriated in this  
9 section to the appropriation made in this division of  
10 this Act for adoption subsidy to support the adjustment  
11 in reimbursement rates for specified child welfare  
12 providers as provided in this 2012 Act.

13 4. a. Of the funds appropriated in this section,  
14 up to ~~\$15,084,564~~ \$30,837,098 is allocated as the  
15 statewide expenditure target under section 232.143  
16 for group foster care maintenance and services. If  
17 the department projects that such expenditures for  
18 the fiscal year will be less than the target amount  
19 allocated in this lettered paragraph, the department  
20 may reallocate the excess to provide additional  
21 funding for shelter care or the child welfare emergency  
22 services addressed with the allocation for shelter  
23 care.

24 b. If at any time after September 30, 2012,  
25 annualization of a service area's current expenditures  
26 indicates a service area is at risk of exceeding its  
27 group foster care expenditure target under section  
28 232.143 by more than 5 percent, the department and  
29 juvenile court services shall examine all group  
30 foster care placements in that service area in order  
31 to identify those which might be appropriate for  
32 termination. In addition, any aftercare services  
33 believed to be needed for the children whose  
34 placements may be terminated shall be identified. The  
35 department and juvenile court services shall initiate  
36 action to set dispositional review hearings for the  
37 placements identified. In such a dispositional review  
38 hearing, the juvenile court shall determine whether  
39 needed aftercare services are available and whether  
40 termination of the placement is in the best interest of  
41 the child and the community.

42 5. In accordance with the provisions of section  
43 232.188, the department shall continue the child  
44 welfare and juvenile justice funding initiative during  
45 fiscal year 2012-2013. Of the funds appropriated  
46 in this section, ~~\$858,876~~ \$1,717,753 is allocated  
47 specifically for expenditure for fiscal year 2012-2013  
48 through the decategorization service funding pools  
49 and governance boards established pursuant to section  
50 232.188.

1 6. A portion of the funds appropriated in this  
2 section may be used for emergency family assistance  
3 to provide other resources required for a family  
4 participating in a family preservation or reunification  
5 project or successor project to stay together or to be  
6 reunified.

7 7. Notwithstanding section 234.35 or any other  
8 provision of law to the contrary, state funding for  
9 shelter care and the child welfare emergency services  
10 contracting implemented to provide for or prevent the  
11 need for shelter care shall be limited to ~~\$3,585,058~~  
12 \$6,470,116. The department may continue or execute  
13 contracts that result from the department's request for  
14 proposal, bid number ACFS-11-114, to provide the range  
15 of child welfare emergency services described in the  
16 request for proposals, and any subsequent amendments to  
17 the request for proposals.

18 8. Federal funds received by the state during  
19 the fiscal year beginning July 1, 2012, as the  
20 result of the expenditure of state funds appropriated  
21 during a previous state fiscal year for a service or  
22 activity funded under this section are appropriated  
23 to the department to be used as additional funding  
24 for services and purposes provided for under this  
25 section. Notwithstanding section 8.33, moneys  
26 received in accordance with this subsection that remain  
27 unencumbered or unobligated at the close of the fiscal  
28 year shall not revert to any fund but shall remain  
29 available for the purposes designated until the close  
30 of the succeeding fiscal year.

31 ~~9. Of the funds appropriated in this section, at~~  
32 ~~least \$1,848,142 shall be used for protective child~~  
33 ~~care assistance.~~

34 10. a. Of the funds appropriated in this section,  
35 up to ~~\$1,031,244~~ \$2,062,488 is allocated for the  
36 payment of the expenses of court-ordered services  
37 provided to juveniles who are under the supervision of  
38 juvenile court services, which expenses are a charge  
39 upon the state pursuant to section 232.141, subsection  
40 4. Of the amount allocated in this lettered paragraph,  
41 up to ~~\$778,143~~ \$1,556,287 shall be made available  
42 to provide school-based supervision of children  
43 adjudicated under chapter 232, of which not more than  
44 ~~\$7,500~~ \$15,000 may be used for the purpose of training.  
45 A portion of the cost of each school-based liaison  
46 officer shall be paid by the school district or other  
47 funding source as approved by the chief juvenile court  
48 officer.

49 b. Of the funds appropriated in this section, up to  
50 ~~\$374,492~~ \$748,985 is allocated for the payment of the

1 expenses of court-ordered services provided to children  
2 who are under the supervision of the department,  
3 which expenses are a charge upon the state pursuant to  
4 section 232.141, subsection 4.

5 c. Notwithstanding section 232.141 or any other  
6 provision of law to the contrary, the amounts allocated  
7 in this subsection shall be distributed to the  
8 judicial districts as determined by the state court  
9 administrator and to the department's service areas as  
10 determined by the administrator of the department's  
11 division of child and family services. The state court  
12 administrator and the division administrator shall make  
13 the determination of the distribution amounts on or  
14 before June 15, 2012.

15 d. Notwithstanding chapter 232 or any other  
16 provision of law to the contrary, a district or  
17 juvenile court shall not order any service which is  
18 a charge upon the state pursuant to section 232.141  
19 if there are insufficient court-ordered services  
20 funds available in the district court or departmental  
21 service area distribution amounts to pay for the  
22 service. The chief juvenile court officer and the  
23 departmental service area manager shall encourage use  
24 of the funds allocated in this subsection such that  
25 there are sufficient funds to pay for all court-related  
26 services during the entire year. The chief juvenile  
27 court officers and departmental service area managers  
28 shall attempt to anticipate potential surpluses and  
29 shortfalls in the distribution amounts and shall  
30 cooperatively request the state court administrator  
31 or division administrator to transfer funds between  
32 the judicial districts' or departmental service areas'  
33 distribution amounts as prudent.

34 e. Notwithstanding any provision of law to the  
35 contrary, a district or juvenile court shall not order  
36 a county to pay for any service provided to a juvenile  
37 pursuant to an order entered under chapter 232 which  
38 is a charge upon the state under section 232.141,  
39 subsection 4.

40 f. Of the funds allocated in this subsection, not  
41 more than ~~\$41,500~~ \$83,000 may be used by the judicial  
42 branch for administration of the requirements under  
43 this subsection.

44 g. Of the funds allocated in this subsection,  
45 ~~\$8,500~~ \$17,000 shall be used by the department of human  
46 services to support the interstate commission for  
47 juveniles in accordance with the interstate compact for  
48 juveniles as provided in section 232.173.

49 ll. Of the funds appropriated in this section,  
50 ~~\$2,961,301~~ \$5,922,602 is allocated for juvenile

1 delinquent graduated sanctions services. Any state  
2 funds saved as a result of efforts by juvenile court  
3 services to earn federal Tit. IV-E match for juvenile  
4 court services administration may be used for the  
5 juvenile delinquent graduated sanctions services.

6 12. Of the funds appropriated in this section,  
7 ~~\$494,142~~ \$1,088,285 shall be transferred to the  
8 department of public health to be used for the child  
9 protection center grant program in accordance with  
10 section 135.118. Of the amount allocated in this  
11 subsection, \$100,000 shall be used for a center for the  
12 Black Hawk county area.

13 13. If the department receives federal approval  
14 to implement a waiver under Tit. IV-E of the federal  
15 Social Security Act to enable providers to serve  
16 children who remain in the children's families and  
17 communities, for purposes of eligibility under the  
18 medical assistance program, children who participate in  
19 the waiver shall be considered to be placed in foster  
20 care.

21 14. Of the funds appropriated in this section,  
22 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation  
23 for adult living program pursuant to section 234.46.

24 15. Of the funds appropriated in this section,  
25 ~~\$260,075~~ \$520,150 shall be used for juvenile drug  
26 courts. The amount allocated in this subsection shall  
27 be distributed as follows:

28 To the judicial branch for salaries to assist with  
29 the operation of juvenile drug court programs operated  
30 in the following jurisdictions:

31 a. Marshall county:

32 .....	\$	<u>31,354</u>
33		<u>62,708</u>

34 b. Woodbury county:

35 .....	\$	<u>62,841</u>
36		<u>125,682</u>

37 c. Polk county:

38 .....	\$	<u>97,946</u>
39		<u>195,892</u>

40 d. The third judicial district:

41 .....	\$	<u>33,967</u>
42		<u>67,934</u>

43 e. The eighth judicial district:

44 .....	\$	<u>33,967</u>
45		<u>67,934</u>

46 16. Of the funds appropriated in this section,  
47 ~~\$113,668~~ \$227,337 shall be used for the public purpose  
48 of providing continuing a grant to a nonprofit human  
49 services organization providing services to individuals  
50 and families in multiple locations in southwest

1 Iowa and Nebraska for support of a project providing  
2 immediate, sensitive support and forensic interviews,  
3 medical exams, needs assessments, and referrals for  
4 victims of child abuse and their nonoffending family  
5 members.

6 17. Of the funds appropriated in this section,  
7 ~~\$62,795~~ \$125,590 is allocated for the elevate foster  
8 care youth council approach of providing a support  
9 network to children placed in foster care.

10 18. Of the funds appropriated in this section,  
11 ~~\$101,000~~ \$202,000 is allocated for use pursuant to  
12 section 235A.1 for continuation of the initiative to  
13 address child sexual abuse implemented pursuant to 2007  
14 Iowa Acts, chapter 218, section 18, subsection 21.

15 19. Of the funds appropriated in this section,  
16 ~~\$315,120~~ \$630,240 is allocated for the community  
17 partnership for child protection sites.

18 20. Of the funds appropriated in this section,  
19 ~~\$185,625~~ \$371,250 is allocated for the department's  
20 minority youth and family projects under the redesign  
21 of the child welfare system.

22 21. Of the funds appropriated in this section,  
23 ~~\$600,247~~ \$1,436,595 is allocated for funding of the  
24 state match for community circle of care collaboration  
25 for children and youth in northeast Iowa, formerly  
26 referred to as the federal substance abuse and mental  
27 health services administration (SAMHSA) system of care  
28 grant.

29 22. Of the funds appropriated in this section, at  
30 least ~~\$73,579~~ \$147,158 shall be used for the child  
31 welfare training academy.

32 23. Of the funds appropriated in this section,  
33 ~~\$12,500~~ \$25,000 shall be used for the public purpose  
34 of continuation of a grant to a child welfare services  
35 provider headquartered in a county with a population  
36 between 205,000 and 215,000 in the latest certified  
37 federal census that provides multiple services  
38 including but not limited to a psychiatric medical  
39 institution for children, shelter, residential  
40 treatment, after school programs, school-based  
41 programming, and an Asperger's syndrome program, to  
42 be used for support services for children with autism  
43 spectrum disorder and their families.

44 24. Of the funds appropriated in this section  
45 ~~\$125,000~~ \$327,947 shall be used for continuation of the  
46 central Iowa system of care program grant through June  
47 30, 2013.

48 25. Of the funds appropriated in this section,  
49 ~~\$80,000~~ \$160,000 shall be used for the public  
50 purpose of the continuation of a system of care

1 grant implemented in Cerro Gordo and Linn counties in  
2 accordance with this Act in FY 2011-2012.

3     26. Of the funds appropriated in this section,  
4 at least \$25,000 shall be used to continue and to  
5 expand the foster care respite program in which  
6 postsecondary students in social work and other human  
7 services-related programs receive experience by  
8 assisting family foster care providers with respite and  
9 other support.

10     27. The amount appropriated in this section  
11 reflects a reduction in expenditures for office  
12 supplies, purchases of equipment, office equipment,  
13 printing and binding, and marketing, and shall be  
14 applied equitably to the programs under this section.

15     Sec. 23. 2011 Iowa Acts, chapter 129, section 129,  
16 is amended to read as follows:

17     SEC. 129. ADOPTION SUBSIDY.

18     1. There is appropriated from the general fund of  
19 the state to the department of human services for the  
20 fiscal year beginning July 1, 2012, and ending June 30,  
21 2013, the following amount, or so much thereof as is  
22 necessary, to be used for the purpose designated:

23     For adoption subsidy payments and services:

24 ..... \$ ~~16,633,295~~  
25 37,788,576

26     2. The department may transfer funds appropriated  
27 in this section to the appropriation made in this  
28 division of this Act for general administration  
29 for costs paid from the appropriation relating to  
30 adoption subsidy. The department may transfer funds  
31 appropriated in this section to the appropriation  
32 made in this division of this Act for child and family  
33 services to support the adjustment in reimbursement  
34 rates for specified child welfare providers as provided  
35 in this 2012 Act.

36     3. Federal funds received by the state during the  
37 fiscal year beginning July 1, 2012, as the result of  
38 the expenditure of state funds during a previous state  
39 fiscal year for a service or activity funded under  
40 this section are appropriated to the department to  
41 be used as additional funding for the services and  
42 activities funded under this section. Notwithstanding  
43 section 8.33, moneys received in accordance with this  
44 subsection that remain unencumbered or unobligated at  
45 the close of the fiscal year shall not revert to any  
46 fund but shall remain available for expenditure for the  
47 purposes designated until the close of the succeeding  
48 fiscal year.

49     Sec. 24. 2011 Iowa Acts, chapter 129, section 131,  
50 is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:  
For the family support subsidy program subject to the enrollment restrictions in section 225C.37, subsection 3:

1. For the state mental health institute at



1 Cherokee for salaries, support, maintenance, and  
 2 miscellaneous purposes, and for not more than the  
 3 following full-time equivalent positions:  
 4 ..... \$ ~~2,938,654~~  
 5 ~~5,535,738~~  
 6 ..... FTEs 168.50  
 7 The amount appropriated in this subsection reflects  
 8 a reduction in expenditures for office supplies,  
 9 purchases of equipment, office equipment, printing and  
 10 binding, and marketing under the purview of the mental  
 11 health institute.  
 12 2. For the state mental health institute at  
 13 Clarinda for salaries, support, maintenance, and  
 14 miscellaneous purposes, and for not more than the  
 15 following full-time equivalent positions:  
 16 ..... \$ ~~3,205,867~~  
 17 ~~6,442,688~~  
 18 ..... FTEs 86.10  
 19 The amount appropriated in this subsection reflects  
 20 a reduction in expenditures for office supplies,  
 21 purchases of equipment, office equipment, printing and  
 22 binding, and marketing under the purview of the mental  
 23 health institute.  
 24 3. For the state mental health institute at  
 25 Independence for salaries, support, maintenance, and  
 26 miscellaneous purposes, and for not more than the  
 27 following full-time equivalent positions:  
 28 ..... \$ ~~5,137,842~~  
 29 ~~9,738,520~~  
 30 ..... FTEs 233.00  
 31 The amount appropriated in this subsection reflects  
 32 a reduction in expenditures for office supplies,  
 33 purchases of equipment, office equipment, printing and  
 34 binding, and marketing under the purview of the mental  
 35 health institute.  
 36 4. For the state mental health institute at Mount  
 37 Pleasant for salaries, support, maintenance, and  
 38 miscellaneous purposes, and for not more than the  
 39 following full-time equivalent positions:  
 40 ..... \$ ~~472,161~~  
 41 ~~885,459~~  
 42 ..... FTEs 97.72  
 43 The amount appropriated in this subsection reflects  
 44 a reduction in expenditures for office supplies,  
 45 purchases of equipment, office equipment, printing and  
 46 binding, and marketing under the purview of the mental  
 47 health institute.  
 48 Sec. 27. 2011 Iowa Acts, chapter 129, section 134,  
 49 is amended to read as follows:  
 50 SEC. 134. STATE RESOURCE CENTERS.

1 1. There is appropriated from the general fund of  
2 the state to the department of human services for the  
3 fiscal year beginning July 1, 2012, and ending June 30,  
4 2013, the following amounts, or so much thereof as is  
5 necessary, to be used for the purposes designated:  
6 a. For the state resource center at Glenwood for  
7 salaries, support, maintenance, and miscellaneous  
8 purposes:

9 ..... \$ 9,253,900  
10 ..... 18,866,116

11 The amount appropriated in this paragraph "a"  
12 reflects a reduction in expenditures for office  
13 supplies, purchases of equipment, office equipment,  
14 printing and binding, and marketing under the purview  
15 of the resource center.

16 b. For the state resource center at Woodward for  
17 salaries, support, maintenance, and miscellaneous  
18 purposes:

19 ..... \$ 6,392,829  
20 ..... 13,033,115

21 The amount appropriated in this paragraph "b"  
22 reflects a reduction in expenditures for office  
23 supplies, purchases of equipment, office equipment,  
24 printing and binding, and marketing under the purview  
25 of the resource center.

26 2. The department may continue to bill for state  
27 resource center services utilizing a scope of services  
28 approach used for private providers of ICFMR services,  
29 in a manner which does not shift costs between the  
30 medical assistance program, counties, or other sources  
31 of funding for the state resource centers.

32 3. The state resource centers may expand the  
33 time-limited assessment and respite services during the  
34 fiscal year.

35 4. If the department's administration and the  
36 department of management concur with a finding by a  
37 state resource center's superintendent that projected  
38 revenues can reasonably be expected to pay the salary  
39 and support costs for a new employee position, or  
40 that such costs for adding a particular number of new  
41 positions for the fiscal year would be less than the  
42 overtime costs if new positions would not be added, the  
43 superintendent may add the new position or positions.  
44 If the vacant positions available to a resource center  
45 do not include the position classification desired to  
46 be filled, the state resource center's superintendent  
47 may reclassify any vacant position as necessary to  
48 fill the desired position. The superintendents of the  
49 state resource centers may, by mutual agreement, pool  
50 vacant positions and position classifications during

1 the course of the fiscal year in order to assist one  
2 another in filling necessary positions.

3 5. If existing capacity limitations are reached  
4 in operating units, a waiting list is in effect  
5 for a service or a special need for which a payment  
6 source or other funding is available for the service  
7 or to address the special need, and facilities for  
8 the service or to address the special need can be  
9 provided within the available payment source or other  
10 funding, the superintendent of a state resource center  
11 may authorize opening not more than two units or  
12 other facilities and begin implementing the service  
13 or addressing the special need during fiscal year  
14 2012-2013.

15 Sec. 28. 2011 Iowa Acts, chapter 129, section 135,  
16 is amended to read as follows:

17 SEC. 135. MI/MR/DD STATE CASES.

18 1. There is appropriated from the general fund of  
19 the state to the department of human services for the  
20 fiscal year beginning July 1, 2012, and ending June 30,  
21 2013, the following amount, or so much thereof as is  
22 necessary, to be used for the purpose designated:

23 For distribution to counties for state case services  
24 for persons with mental illness, mental retardation,  
25 and developmental disabilities in accordance with  
26 section 331.440:

27 ..... \$ ~~6,084,741~~  
28 11,150,820

29 2. For the fiscal year beginning July 1, 2012, and  
30 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated  
31 for state case services from the amounts appropriated  
32 from the fund created in section 8.41 to the department  
33 of human services from the funds received from the  
34 federal government under 42 U.S.C. ch. 6A, subch. XVII,  
35 relating to the community mental health center block  
36 grant, for the federal fiscal years beginning October  
37 1, 2010, and ending September 30, 2011, beginning  
38 October 1, 2011, and ending September 30, 2012, and  
39 beginning October 1, 2012, and ending September 30,  
40 2013. The allocation made in this subsection shall be  
41 made prior to any other distribution allocation of the  
42 appropriated federal funds.

43 3. Notwithstanding section 8.33, moneys  
44 appropriated in this section that remain unencumbered  
45 or unobligated at the close of the fiscal year shall  
46 not revert but shall remain available for expenditure  
47 for the purposes designated until the close of the  
48 succeeding fiscal year.

49 Sec. 29. 2011 Iowa Acts, chapter 129, section 137,  
50 is amended to read as follows:

1 SEC. 137. SEXUALLY VIOLENT PREDATORS.

2 1. There is appropriated from the general fund of  
3 the state to the department of human services for the  
4 fiscal year beginning July 1, 2012, and ending June 30,  
5 2013, the following amount, or so much thereof as is  
6 necessary, to be used for the purpose designated:

7 For costs associated with the commitment and  
8 treatment of sexually violent predators in the unit  
9 located at the state mental health institute at  
10 Cherokee, including costs of legal services and  
11 other associated costs, including salaries, support,  
12 maintenance, and miscellaneous purposes, and for not  
13 more than the following full-time equivalent positions:  
14 ..... \$ ~~3,775,363~~  
15 ~~9,099,686~~  
16 ..... FTEs ~~89.50~~  
17 ~~115.50~~

18 2. Unless specifically prohibited by law, if the  
19 amount charged provides for recoupment of at least  
20 the entire amount of direct and indirect costs, the  
21 department of human services may contract with other  
22 states to provide care and treatment of persons placed  
23 by the other states at the unit for sexually violent  
24 predators at Cherokee. The moneys received under such  
25 a contract shall be considered to be repayment receipts  
26 and used for the purposes of the appropriation made in  
27 this section.

28 Sec. 30. 2011 Iowa Acts, chapter 129, section 138,  
29 is amended to read as follows:

30 SEC. 138. FIELD OPERATIONS. There is appropriated  
31 from the general fund of the state to the department of  
32 human services for the fiscal year beginning July 1,  
33 2012, and ending June 30, 2013, the following amount,  
34 or so much thereof as is necessary, to be used for the  
35 purposes designated:

36 For field operations, including salaries, support,  
37 maintenance, and miscellaneous purposes, and for not  
38 more than the following full-time equivalent positions:  
39 ..... \$ ~~27,394,960~~  
40 ~~60,355,400~~  
41 ..... FTEs ~~1,781.00~~

42 Priority in filling full-time equivalent positions  
43 shall be given to those positions related to child  
44 protection services and eligibility determination for  
45 low-income families.

46 The amount appropriated in this section reflects  
47 a reduction in expenditures for office supplies,  
48 purchases of equipment, office equipment, printing  
49 and binding, and marketing under the purview of the  
50 department.

1     Sec. 31. 2011 Iowa Acts, chapter 129, section 139,  
2 is amended to read as follows:

3     SEC. 139. GENERAL ADMINISTRATION. There is  
4 appropriated from the general fund of the state to  
5 the department of human services for the fiscal year  
6 beginning July 1, 2012, and ending June 30, 2013, the  
7 following amount, or so much thereof as is necessary,  
8 to be used for the purpose designated:

9     For general administration, including salaries,  
10 support, maintenance, and miscellaneous purposes, and  
11 for not more than the following full-time equivalent  
12 positions:

13 .....	\$	7,298,372
14 .....		15,096,744
15 .....	FTEs	285.00
16 .....		295.00

17     1. Of the funds appropriated in this section,  
18 ~~\$19,271~~ \$38,543 allocated for the prevention of  
19 disabilities policy council established in section  
20 225B.3.

21     2. The department shall report at least monthly  
22 to the legislative services agency concerning the  
23 department's operational and program expenditures.

24     3. Of the funds appropriated in this section,  
25 ~~\$66,150~~ \$132,300 shall be used to continue the contract  
26 for the provision of a program to provide technical  
27 assistance, support, and consultation to providers of  
28 habilitation services and home and community-based  
29 services waiver services for adults with disabilities  
30 under the medical assistance program.

31     4. Of the funds appropriated in this section,  
32 ~~\$88,200~~ \$176,400 shall be used to continue the contract  
33 to expand the provision of nationally accredited and  
34 recognized internet-based training to include mental  
35 health and disability services providers.

36     ~~5. Of the funds appropriated in this section,~~  
37 ~~\$250,000 shall be used for continuation of child~~  
38 ~~protection system improvements addressed in 2011 Iowa~~  
39 ~~Acts, House File 562, as enacted.~~

40     6. Of the funds appropriated in this section,  
41 \$500,000 shall be used for implementation of 2012 Iowa  
42 Acts, House File 2422, if enacted.

43     Sec. 32. 2011 Iowa Acts, chapter 129, section 140,  
44 is amended to read as follows:

45     SEC. 140. VOLUNTEERS. There is appropriated from  
46 the general fund of the state to the department of  
47 human services for the fiscal year beginning July 1,  
48 2012, and ending June 30, 2013, the following amount,  
49 or so much thereof as is necessary, to be used for the  
50 purpose designated:

1 For development and coordination of volunteer  
2 services:

3 ..... \$ 42,330  
4 84,660

5 PROVIDER REIMBURSEMENT — NURSING FACILITIES

6 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,  
7 subsection 1, paragraph a, subparagraph (1), is amended  
8 to read as follows:

9 (1) For the fiscal year beginning July 1, 2012, the  
10 total state funding amount for the nursing facility  
11 budget shall not exceed ~~\$225,457,724~~ \$237,226,901.

12 PROVIDER REIMBURSEMENT — PHARMACY AND PMICS

13 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,  
14 subsection 1, paragraphs b and i, are amended to read  
15 as follows:

16 b. (1) For the fiscal year beginning July  
17 1, 2012, the department shall reimburse pharmacy  
18 dispensing fees using a ~~single rate of~~ range between  
19 \$4.34 per prescription or the pharmacy's usual and  
20 customary fee, whichever is lower, and \$11.10 per  
21 prescription. The actual dispensing fee set within  
22 the range shall be determined by an annual cost of  
23 dispensing survey performed by the department and  
24 required to be completed by all medical assistance  
25 program participating pharmacies. The department shall  
26 also update the cost of dispensing calculations on a  
27 regular basis. However, the department shall adjust  
28 the dispensing fee specified in this paragraph to  
29 distribute an additional \$2,981,980 in reimbursements  
30 for pharmacy dispensing fees under this paragraph for  
31 the fiscal year.

32 (2) The department shall implement an average  
33 acquisition cost reimbursement methodology for all  
34 drugs covered under the medical assistance program.  
35 The methodology shall utilize a survey of pharmacy  
36 invoices from a rotation of pharmacies in determining  
37 the average acquisition cost component of pharmacy  
38 reimbursement. Pharmacies and providers that are  
39 enrolled in the medical assistance program shall make  
40 available drug acquisition cost invoice information,  
41 product availability information if known, and other  
42 information deemed necessary by the department to  
43 assist the department in monitoring and revising the  
44 reimbursement rates and for efficient operation of  
45 the pharmacy benefit. The department shall provide a  
46 process for pharmacies to address average acquisition  
47 cost prices that are not reflective of the actual cost  
48 of a drug. With regard to specialty pharmacy products  
49 as defined by the department, the department shall  
50 consider the population served, the current delivery

1 system, and the standard of care relative to these  
2 products, and may adjust the product reimbursement rate  
3 or dispensing fee to prevent problems with access to  
4 these products and their associated specialty services.

5 (a) A pharmacy or provider shall produce and submit  
6 the requested information in the manner and format  
7 requested by the department or its designee at no cost  
8 to the department or its designee.

9 (b) A pharmacy or provider shall submit information  
10 to the department or its designee within the time  
11 frame indicated following receipt of a request for  
12 information unless the department or its designee  
13 grants an extension upon written request of the  
14 pharmacy or provider.

15 i. (1) For the fiscal year beginning July 1,  
16 2012, state-owned psychiatric medical institutions  
17 for children shall receive cost-based reimbursement  
18 for 100 percent of the actual and allowable costs for  
19 the provision of services to recipients of medical  
20 assistance.

21 (2) For the nonstate-owned psychiatric medical  
22 institutions for children, reimbursement rates shall be  
23 based on the reimbursement methodology developed by the  
24 department as required for federal compliance.

25 (3) As a condition of participation in the medical  
26 assistance program, enrolled providers shall accept the  
27 medical assistance reimbursement rate for any covered  
28 goods or services provided to recipients of medical  
29 assistance who are children under the custody of a  
30 psychiatric medical institution for children.

31 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE  
32 PROVIDERS

33 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,  
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 6A. For the fiscal year beginning  
36 July 1, 2012, the department shall adjust the  
37 foster family basic daily maintenance rate, the  
38 maximum adoption subsidy rates for children, the  
39 family-centered service providers rate, the family  
40 foster care service providers rate, the group foster  
41 care service providers rate, and the resource family  
42 recruitment and retention contractor rate, as such  
43 rates are identified in this section and were in effect  
44 on June 30, 2012, in order to distribute an additional  
45 \$1,535,256 in state reimbursements equitably to such  
46 providers for the fiscal year.

47 REBASING STUDY —  
48 MEDICAID HOME HEALTH AND HCBS WAIVER SERVICES PROVIDERS

49 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,  
50 is amended by adding the following new subsection:

1     NEW SUBSECTION. 10A. The department of human  
2 services, Iowa Medicaid enterprise, shall review  
3 reimbursement of home health agency and home and  
4 community-based services waiver services providers  
5 and shall submit a recommendation for a rebasing  
6 methodology applicable to such providers to the  
7 individuals identified in this division of this Act for  
8 receipt of reports by December 31, 2012.

9                                 REPORTS

10     Sec. 36. 2011 Iowa Acts, chapter 129, section 143,  
11 is amended to read as follows:

12     SEC. 143. REPORTS. Any reports or other  
13 information required to be compiled and submitted  
14 under this Act shall be submitted to the chairpersons  
15 and ranking members of the joint appropriations  
16 subcommittee on health and human services, the  
17 legislative services agency, and the legislative caucus  
18 staffs on or before the dates specified for submission  
19 of the reports or information.

20                                 DIVISION V

21                                 HEALTH CARE ACCOUNTS AND FUNDS

22                                 PHARMACEUTICAL SETTLEMENT ACCOUNT

23     Sec. 37. 2011 Iowa Acts, chapter 129, section 145,  
24 is amended to read as follows:

25     SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There  
26 is appropriated from the pharmaceutical settlement  
27 account created in section 249A.33 to the department of  
28 human services for the fiscal year beginning July 1,  
29 2012, and ending June 30, 2013, the following amount,  
30 or so much thereof as is necessary, to be used for the  
31 purpose designated:

32     Notwithstanding any provision of law to the  
33 contrary, to supplement the appropriations made in this  
34 Act for medical contracts under the medical assistance  
35 program for the fiscal year beginning July 1, 2012, and  
36 ending June 30, 2013:

37     ..... \$ 2,716,807

38     IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA

39                                 HOSPITALS AND CLINICS

40     Sec. 38. 2011 Iowa Acts, chapter 129, section 146,  
41 subsection 1, is amended by adding the following new  
42 paragraph:

43     NEW PARAGRAPH. d. The university of Iowa hospitals  
44 and clinics shall utilize a portion of the funds  
45 appropriated in this subsection to pay for lodging  
46 expenses for expansion population members receiving  
47 cancer treatment over successive days. A member shall  
48 only be eligible for such payment if the member is  
49 otherwise unable to secure lodging at the university of  
50 Iowa hospitals and clinics campus or at any other local



1 facility offering free lodging for a member receiving  
2 cancer treatment over successive days.

3 Sec. 39. 2011 Iowa Acts, chapter 129, section 146,  
4 subsection 2, unnumbered paragraph 2, is amended to  
5 read as follows:

6 For salaries, support, maintenance, equipment, and  
7 miscellaneous purposes, for the provision of medical  
8 and surgical treatment of indigent patients, for  
9 provision of services to members of the expansion  
10 population pursuant to chapter 249J, and for medical  
11 education:

12 ..... \$ ~~44,226,279~~  
13 45,654,133

14 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING  
15 HOSPITAL

16 Sec. 40. 2011 Iowa Acts, chapter 129, section 146,  
17 subsection 4, unnumbered paragraph 2, is amended to  
18 read as follows:

19 For distribution to a publicly owned acute care  
20 teaching hospital located in a county with a population  
21 over 350,000 for the provision of medical and surgical  
22 treatment of indigent patients, for provision of  
23 services to members of the expansion population  
24 pursuant to chapter 249J, and for medical education:

25 ..... \$ ~~65,000,000~~  
26 70,000,000

27 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL  
28 ALLOCATIONS

29 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,  
30 subsection 4, paragraphs a and b, are amended to read  
31 as follows:

32 a. Notwithstanding any provision of law to the  
33 contrary, the amount appropriated in this subsection  
34 shall be distributed based on claims submitted,  
35 adjudicated, and paid by the Iowa Medicaid enterprise  
36 plus a monthly disproportionate share hospital payment.  
37 Any amount appropriated in this subsection in excess  
38 of ~~\$60,000,000~~ \$65,000,000 shall be distributed  
39 only if the sum of the expansion population claims  
40 adjudicated and paid by the Iowa Medicaid enterprise  
41 plus the estimated disproportionate share hospital  
42 payments exceeds ~~\$60,000,000~~ \$65,000,000. The amount  
43 paid in excess of ~~\$60,000,000~~ \$65,000,000 shall  
44 not adjust the original monthly payment amount but  
45 shall be distributed monthly based on actual claims  
46 adjudicated and paid by the Iowa Medicaid enterprise  
47 plus the estimated disproportionate share hospital  
48 amount. Any amount appropriated in this subsection in  
49 excess of ~~\$60,000,000~~ \$65,000,000 shall be allocated  
50 only if federal funds are available to match the

1 amount allocated. Pursuant to paragraph "b", of the  
2 amount appropriated in this subsection, not more than  
3 \$4,000,000 shall be distributed for prescription drugs,  
4 and podiatry services, and optometric services.

5 b. Notwithstanding any provision of law to the  
6 contrary, the hospital identified in this subsection,  
7 shall be reimbursed for outpatient prescription drugs,  
8 and podiatry services, and optometric services provided  
9 to members of the expansion population pursuant to all  
10 applicable medical assistance program rules, in an  
11 amount not to exceed \$4,000,000.

12 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

13 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,  
14 subsection 5, unnumbered paragraph 2, is amended to  
15 read as follows:

16 For payment to the regional provider network  
17 specified by the department pursuant to section 249J.7  
18 for provision of covered services to members of the  
19 expansion population pursuant to chapter 249J:

20 ..... \$ ~~3,472,176~~  
21 4,986,366

22 ACCOUNT FOR HEALTH CARE TRANSFORMATION

23 Sec. 43. 2011 Iowa Acts, chapter 129, section 148,  
24 is amended to read as follows:

25 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH  
26 CARE TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

27 Notwithstanding any provision to the contrary,  
28 there is appropriated from the account for health  
29 care transformation created in section 249J.23 to  
30 the department of human services for the fiscal year  
31 beginning July 1, 2012, and ending June 30, 2013, the  
32 following amounts, or so much thereof as is necessary,  
33 to be used for the purposes designated:

34 1. For the provision of an IowaCare nurse helpline  
35 for the expansion population as provided in section  
36 249J.6:

37 ..... \$ ~~50,000~~  
38 100,000

39 2. For other health promotion partnership  
40 activities pursuant to section 249J.14:

41 ..... \$ 300,000

42 3. For the costs related to audits, performance  
43 evaluations, and studies required pursuant to chapter  
44 249J:

45 ..... \$ ~~62,500~~  
46 125,000

47 4. For administrative costs associated with chapter  
48 249J:

49 ..... \$ ~~566,206~~  
50 1,132,412

1     5. For planning and development, in cooperation  
 2 with the department of public health, of a phased-in  
 3 program to provide a dental home for children in  
 4 accordance with section 249J.14:  
 5 ..... \$     500,000  
 6 ..... 1,000,000  
 7     6. For continuation of the establishment of the  
 8 tuition assistance for individuals serving individuals  
 9 with disabilities pilot program, as enacted in 2008  
 10 Iowa Acts, chapter 1187, section 130:  
 11 ..... \$     25,000  
 12 ..... 50,000  
 13     7. For medical contracts:  
 14 ..... \$    1,000,000  
 15 ..... 2,400,000  
 16     8. For payment to the publicly owned acute care  
 17 teaching hospital located in a county with a population  
 18 of over 350,000 that is a participating provider  
 19 pursuant to chapter 249J:  
 20 ..... \$     145,000  
 21 ..... 540,000  
 22     Disbursements under this subsection shall be made  
 23 monthly. The hospital shall submit a report following  
 24 the close of the fiscal year regarding use of the  
 25 funds appropriated in this subsection to the persons  
 26 specified in this Act to receive reports.  
 27     9. For transfer to the department of public health  
 28 to be used for the costs of medical home system  
 29 advisory council established pursuant to section  
 30 135.159:  
 31 ..... \$     116,679  
 32 ..... 233,357  
 33     10. For continued implementation of a uniform cost  
 34 report:  
 35 ..... \$     75,000  
 36 ..... 150,000  
 37     11. For continued implementation of an electronic  
 38 medical records system:  
 39 ..... \$     50,000  
 40 ..... 100,000  
 41     Notwithstanding section 8.33, funds allocated in  
 42 this subsection that remain unencumbered or unobligated  
 43 at the close of the fiscal year shall not revert but  
 44 shall remain available in succeeding fiscal years to be  
 45 used for the purposes designated.  
 46     12. For transfer to the department of public health  
 47 to support the department's activities relating to  
 48 health and long-term care access as specified pursuant  
 49 to chapter 135, division XXIV:  
 50 ..... \$     67,107

1 134,214

2 13. For continuation of an accountable care

3 organization pilot project:

4 ..... \$ 50,000

5 100,000

6 15. For transfer to the department of public health

7 to be used as state matching funds for the health

8 information technology ~~system~~ network developed by the

9 department of public health:

10 ..... \$ 181,993

11 363,987

12 16. To supplement the appropriation for medical

13 assistance:

14 ..... \$ ~~1,956,245~~ 4,106,245

15 17. For transfer to the department of public health

16 to be used for the mental health and disabilities

17 services workforce development workgroup, if created by

18 the Eighty-fourth General Assembly, 2012 Session:

19 ..... \$ 25,000

20 Notwithstanding section 8.39, subsection 1, without

21 the prior written consent and approval of the governor

22 and the director of the department of management, the

23 director of human services may transfer funds among

24 the appropriations made in this section as necessary

25 to carry out the purposes of the account for health

26 care transformation. The department shall report

27 any transfers made pursuant to this section to the

28 legislative services agency.

29 QUALITY ASSURANCE TRUST FUND

30 Sec. 44. 2011 Iowa Acts, chapter 129, section 151,

31 is amended to read as follows:

32 SEC. 151. QUALITY ASSURANCE TRUST FUND —

33 DEPARTMENT OF HUMAN SERVICES. Notwithstanding

34 any provision to the contrary and subject to the

35 availability of funds, there is appropriated from the

36 quality assurance trust fund created in section 249L.4

37 to the department of human services for the fiscal year

38 beginning July 1, 2012, and ending June 30, 2013, the

39 following amounts, or so much thereof as is necessary

40 for the purposes designated:

41 To supplement the appropriation made in this Act

42 from the general fund of the state to the department of

43 human services for medical assistance:

44 ..... \$ ~~29,000,000~~

45 26,500,000

46 HOSPITAL HEALTH CARE ACCESS TRUST FUND

47 Sec. 45. 2011 Iowa Acts, chapter 129, section 152,

48 is amended to read as follows:

49 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND

50 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding

1 any provision to the contrary and subject to the  
2 availability of funds, there is appropriated from  
3 the hospital health care access trust fund created in  
4 section 249M.4 to the department of human services for  
5 the fiscal year beginning July 1, 2012, and ending June  
6 30, 2013, the following amounts, or so much thereof as  
7 is necessary, for the purposes designated:

8 1. To supplement the appropriation made in this Act  
9 from the general fund of the state to the department of  
10 human services for medical assistance:

11 ..... \$ ~~39,223,800~~  
12 33,898,400

13 2. For deposit in the nonparticipating provider  
14 reimbursement fund created in section 249J.24A to be  
15 used for the purposes of the fund:

16 ..... \$ ~~776,200~~  
17 801,600

18 MISCELLANEOUS PROVISIONS

19 Sec. 46. REPEAL. 2011 Iowa Acts, chapter 129,  
20 sections 149 and 150, are repealed.

21 DIVISION VI

22 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT  
23 CONTINGENCY FUND

24 Sec. 47. CHILDREN'S HEALTH INSURANCE PROGRAM —  
25 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE  
26 OF FUNDS — FY 2011-2012.

27 1. Moneys received from the federal government  
28 through the child enrollment contingency fund  
29 established pursuant to section 103 of the federal  
30 Children's Health Insurance Program Reauthorization  
31 Act of 2009, Pub. L. No. 111-3, are appropriated to  
32 the department of human services for the fiscal year  
33 beginning July 1, 2011, and ending June 30, 2012, to be  
34 used in addition to any other amounts appropriated for  
35 the same purposes for the fiscal year as follows:

36 a. For adoption subsidy payments and services:  
37 ..... \$ 2,177,355

38 b. For child care programs:  
39 ..... \$ 1,212,432

40 c. For transfer to the department of public health  
41 to be used for tobacco use prevention, cessation, and  
42 treatment through support of Quitline Iowa:

43 ..... \$ 200,000

44 2. Notwithstanding section 8.39, and to the extent  
45 that funds appropriated in this section are unexpended  
46 or unobligated for the purposes specified in subsection  
47 1, the department of human services may transfer funds  
48 within or between any of the appropriations made in  
49 this section for the following purposes:

50 a. For adoption subsidy payments and services.

1       b. For child care assistance.  
2       Sec. 48. CHILDREN'S HEALTH INSURANCE PROGRAM —  
3 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR  
4 USE OF FUNDS — FY 2012-2013. Moneys received from  
5 the federal government through the child enrollment  
6 contingency fund established pursuant to section 103  
7 of the federal Children's Health Insurance Program  
8 Reauthorization Act of 2009, Pub. L. No. 111-3, are  
9 appropriated to the department of human services for  
10 the fiscal year beginning July 1, 2012, and ending June  
11 30, 2013, to be used in addition to any other amounts  
12 appropriated for the same purposes for the fiscal year  
13 as follows:

14       1. For mental health and disability services  
15 redesign technical assistance services:  
16 ..... \$       500,000  
17       2. For the field operations integrity claims unit:  
18 ..... \$       961,100  
19       3. For the child welfare resources fund created  
20 pursuant to this subsection:  
21 ..... \$   1,000,000

22       A child welfare resources fund is created under  
23 the control of the department of human services.  
24 Notwithstanding section 8.33, moneys credited to  
25 the fund shall not revert to any other fund and are  
26 appropriated to the department to be used as provided  
27 in this subsection. The department shall distribute  
28 the moneys credited to the fund as grants to child  
29 welfare service providers to support infrastructure  
30 projects, supplies, equipment, renovations, and other  
31 one-time expenses in connection with publicly funded  
32 child welfare services.

33       Sec. 49. EFFECTIVE DATE PROVISIONS. The section of  
34 this division of this Act appropriating moneys received  
35 through the federal Child Enrollment Contingency Fund  
36 for the fiscal year beginning July 1, 2011, and ending  
37 June 30, 2012, being deemed of immediate importance,  
38 take effect upon enactment.

39       Sec. 50. RETROACTIVE APPLICABILITY. The section of  
40 this division of this Act appropriating moneys received  
41 through the federal Child Enrollment Contingency Fund  
42 for the fiscal year beginning July 1, 2011, and ending  
43 June 30, 2012, applies retroactively to July 1, 2011.

#### 44                   DIVISION VII

#### 45           MENTAL HEALTH AND DISABILITY SERVICES MEDICAL 46           ASSISTANCE PROGRAM ADDITIONAL FUNDING

47       Sec. 51. RISK POOL APPROPRIATION FOR MEDICAL  
48 ASSISTANCE PROGRAM. All moneys remaining in the risk  
49 pool of the property tax relief fund on June 30,  
50 2012, following the distributions made pursuant to

1 2012 Iowa Acts, Senate File 2071, are appropriated to  
2 the department of human services for the fiscal year  
3 beginning July 1, 2012, and ending June 30, 2013, to be  
4 used for the purpose designated:

5 To be credited to the appropriation made for the  
6 medical assistance program in 2011 Iowa Acts, chapter  
7 129, section 122.

8 Sec. 52. MENTAL HEALTH AND DISABILITY SERVICES  
9 REDESIGN.

10 There is appropriated from the general fund of the  
11 state to the department of human services for the  
12 fiscal year beginning July 1, 2012, and ending June 30,  
13 2013, the following amount, or so much thereof as is  
14 necessary, to be used for the purposes designated:

15 For the medical assistance program appropriation  
16 for the fiscal year for the expense of replacing  
17 the enhanced match rate provided through the federal  
18 American Recovery and Reinvestment Act of 2009 and  
19 for the reduction in the federal medical assistance  
20 percentage associated with the mental health and  
21 disabilities services for which the match has been paid  
22 by counties:

23 ..... \$ 41,736,918

24 DIVISION VIII

25 PRIOR APPROPRIATIONS AND RELATED CHANGES

26 INJURED VETERANS GRANT PROGRAM

27 Sec. 53. 2008 Iowa Acts, chapter 1187, section 69,  
28 unnumbered paragraph 1, as amended by 2009 Iowa Acts,  
29 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,  
30 section 56, and 2011 Iowa Acts, chapter 129, section  
31 53, is amended to read as follows:

32 Notwithstanding section 8.33, moneys appropriated in  
33 this subsection that remain unencumbered or unobligated  
34 at the close of the fiscal year shall not revert but  
35 shall remain available for expenditure for the purposes  
36 designated until the close of the fiscal year beginning  
37 July 1, ~~2011~~ 2012.

38 IOWA VETERANS HOME

39 Sec. 54. 2011 Iowa Acts, chapter 129, section 3,  
40 subsection 2, is amended by adding the following new  
41 paragraph:

42 NEW PARAGRAPH. d. The funds appropriated in this  
43 subsection to the Iowa veterans home that remain  
44 available for expenditure for the succeeding fiscal  
45 year pursuant to section 35D.18, subsection 5, shall  
46 be distributed to be used in the succeeding fiscal  
47 year in accordance with this lettered paragraph. The  
48 first \$500,000 shall remain available to be used for  
49 the purposes of the Iowa veterans home. Any remaining  
50 balance shall be credited to the appropriation in this

1 Act for the fiscal year beginning July 1, 2012, for  
2 medical assistance.

3 FAMILY INVESTMENT PROGRAM — GENERAL FUND

4 Sec. 55. 2011 Iowa Acts, chapter 129, section 7, is  
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 5. Notwithstanding section  
7 8.33, moneys appropriated in this section that remain  
8 unencumbered or unobligated at the close of the fiscal  
9 year shall not revert but shall remain available for  
10 expenditure for the purposes designated until the close  
11 of the succeeding fiscal year.

12 MEDICAL ASSISTANCE

13 Sec. 56. 2011 Iowa Acts, chapter 129, section 10,  
14 subsection 20, paragraph d, is amended to read as  
15 follows:

16 d. If the savings to the medical assistance  
17 program exceed the cost, the department may transfer  
18 any savings generated for the fiscal year due to  
19 medical assistance program cost containment efforts  
20 initiated pursuant to 2010 Iowa Acts, chapter 1031,  
21 Executive Order No. 20, issued December 16, 2009, or  
22 cost containment strategies initiated pursuant to this  
23 subsection, to the ~~appropriation~~ appropriations made  
24 in this division of this Act for medical contracts or  
25 general administration to defray the increased contract  
26 costs associated with implementing such efforts.

27 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL  
28 ASSISTANCE

29 Sec. 57. 2011 Iowa Acts, chapter 129, section 10,  
30 is amended by adding the following new subsection:

31 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa  
32 Acts, chapter 182, section 9, subsection 16, paragraph  
33 "b", as amended by 2010 Iowa Acts, chapter 1192,  
34 section 63, as amended by 2011 Iowa Acts, chapter  
35 129, section 54, funds in the account that remain  
36 unencumbered or unobligated at the end of the fiscal  
37 year beginning July 1, 2011, are appropriated to the  
38 department of human services to be used for the medical  
39 assistance program for the succeeding fiscal year.

40 STATE SUPPLEMENTARY ASSISTANCE

41 Sec. 58. 2011 Iowa Acts, chapter 129, section 11,  
42 is amended by adding the following new subsection:

43 NEW SUBSECTION. 4. Notwithstanding section  
44 8.33, moneys appropriated in this section that remain  
45 unencumbered or unobligated at the close of the fiscal  
46 year shall not revert but shall remain available for  
47 expenditure for the purposes designated until the close  
48 of the succeeding fiscal year.

49 FIELD OPERATIONS

50 Sec. 59. 2011 Iowa Acts, chapter 129, section



1 25, is amended by adding the following new unnumbered  
2 paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
4 8.33, moneys appropriated in this section that remain  
5 unencumbered or unobligated at the close of the fiscal  
6 year shall not revert but shall remain available for  
7 expenditure for the purposes designated until the close  
8 of the succeeding fiscal year.

9 CHILD PROTECTION SYSTEM IMPROVEMENTS

10 Sec. 60. 2011 Iowa Acts, chapter 129, section 26,  
11 subsection 5, is amended to read as follows:

12 5. Of the funds appropriated in this section,  
13 \$500,000 shall be used for implementation of child  
14 protection system improvements addressed in 2011  
15 Iowa Acts, ~~House File 562, as enacted chapter 28.~~  
16 Notwithstanding section 8.33, moneys allocated in this  
17 subsection that remain unencumbered or unobligated  
18 at the close of the fiscal year shall not revert but  
19 shall remain available for expenditure for the purposes  
20 designated until the close of the succeeding fiscal  
21 year.

22 GENERAL ADMINISTRATION

23 Sec. 61. 2011 Iowa Acts, chapter 129, section 26,  
24 is amended by adding the following new subsection:

25 NEW SUBSECTION. 6. Notwithstanding section  
26 8.33, moneys appropriated in this section that remain  
27 unencumbered or unobligated at the close of the fiscal  
28 year shall not revert but shall remain available for  
29 expenditure for the purposes designated until the close  
30 of the succeeding fiscal year.

31 IOWACARE DISTRIBUTIONS

32 Sec. 62. 2011 Iowa Acts, chapter 129, section  
33 35, subsection 4, paragraph a, is amended to read as  
34 follows:

35 a. Notwithstanding any provision of law to the  
36 contrary, the amount appropriated in this subsection  
37 shall be distributed based on claims submitted,  
38 adjudicated, and paid by the Iowa Medicaid enterprise  
39 plus a monthly disproportionate share hospital payment.  
40 Any amount appropriated in this subsection in excess  
41 of ~~\$60,000,000~~ \$56,500,000 shall be distributed  
42 only if the sum of the expansion population claims  
43 adjudicated and paid by the Iowa Medicaid enterprise  
44 plus the estimated disproportionate share hospital  
45 payments exceeds ~~\$60,000,000~~ \$56,500,000. The amount  
46 paid in excess of ~~\$60,000,000~~ \$56,500,000 shall  
47 not adjust the original monthly payment amount but  
48 shall be distributed monthly based on actual claims  
49 adjudicated and paid by the Iowa Medicaid enterprise  
50 plus the estimated disproportionate share hospital

1 amount. Any amount appropriated in this subsection in  
2 excess of ~~\$60,000,000~~ \$56,500,000 shall be allocated  
3 only if federal funds are available to match the  
4 amount allocated. Pursuant to paragraph "b", of the  
5 amount appropriated in this subsection, not more than  
6 \$4,000,000 shall be distributed for prescription drugs  
7 and podiatry services.

8 Sec. 63. 2011 Iowa Acts, chapter 129, section 35,  
9 subsection 4, paragraph d, subparagraph (2), is amended  
10 to read as follows:

11 (2) Notwithstanding the amount collected and  
12 distributed for deposit in the IowaCare account  
13 pursuant to section 249J.24, subsection 4, paragraph  
14 "a", subparagraph (2), the first \$19,000,000 in  
15 collections pursuant to section 347.7 between January  
16 1, 2012, and June 30, 2012, shall be distributed to  
17 the treasurer of state for deposit in the IowaCare  
18 account and collections during this time period in  
19 excess of \$19,000,000 shall be distributed to the acute  
20 care teaching hospital identified in this subsection.  
21 ~~Of the collections in excess of the \$19,000,000~~  
22 ~~received by the acute care teaching hospital under this~~  
23 ~~subparagraph (2), \$2,000,000 shall be distributed by~~  
24 ~~the acute care teaching hospital to the treasurer of~~  
25 ~~state for deposit in the IowaCare account in the month~~  
26 ~~of July 2012, following the January 1 through June 30,~~  
27 ~~2012, period.~~

28 Sec. 64. IMMEDIATE EFFECTIVE DATE. This division  
29 of this Act, being deemed of immediate importance,  
30 takes effect upon enactment.

31 Sec. 65. RETROACTIVE APPLICABILITY. The  
32 following sections of this division of this Act apply  
33 retroactively to July 1, 2011:

34 1. The section relating to the transfer of funds  
35 from costs savings under the medical assistance program  
36 to appropriations for medical contracts or general  
37 administration for the fiscal year beginning July 1,  
38 2011, and ending June 30, 2012.

39 2. The section relating to the distribution of  
40 IowaCare program funds.

41 DIVISION IX  
42 MISCELLANEOUS

43 Sec. 66. Section 8A.512A, subsection 3, Code  
44 Supplement 2011, is amended to read as follows:

45 3. *a.* For purposes of this section, "executive  
46 branch employee" means an employee of the executive  
47 branch as defined in section 7E.2, other than a  
48 member or employee of the state board of regents and  
49 institutions under the control of the state board of  
50 regents.

1     b. For purposes of this section, "out-of-state  
2 travel" does not include out-of-state travel incidental  
3 to travel between a travel departure point in this  
4 state and a travel destination point in the city of  
5 Carter Lake.

6     Sec. 67. Section 97B.39, Code 2011, is amended to  
7 read as follows:

8     **97B.39 Rights not transferable or subject to legal**  
9 **process — exceptions.**

10     The right of any person to any future payment under  
11 this chapter is not transferable or assignable, at  
12 law or in equity, and the moneys paid or payable or  
13 rights existing under this chapter are not subject to  
14 execution, levy, attachment, garnishment, or other  
15 legal process, or to the operation of any bankruptcy  
16 or insolvency law except for the purposes of enforcing  
17 child, spousal, or medical support obligations or  
18 marital property orders, or for recovery of medical  
19 assistance payments pursuant to section 249A.5.

20 For the purposes of enforcing child, spousal, or  
21 medical support obligations, the garnishment or  
22 attachment of or the execution against compensation  
23 due a person under this chapter shall not exceed  
24 the amount specified in 15 U.S.C. § 1673(b). The  
25 system shall comply with the provisions of a marital  
26 property order requiring the selection of a particular  
27 benefit option, designated beneficiary, or contingent  
28 annuitant if the selection is otherwise authorized  
29 by this chapter and the member has not received  
30 payment of the member's first retirement allowance.  
31 However, a marital property order shall not require  
32 the payment of benefits to an alternative payee prior  
33 to the member's retirement, prior to the date the  
34 member elects to receive a lump sum distribution of  
35 accumulated contributions pursuant to section 97B.53,  
36 or in an amount that exceeds the benefits the member  
37 would otherwise be eligible to receive pursuant to this  
38 chapter.

39     Sec. 68. Section 135.63, subsection 2, Code 2011,  
40 is amended by adding the following new paragraph:

41     NEW PARAGRAPH. g. Any outpatient surgical facility  
42 that meets all of the following conditions:

43     (1) Functions to provide treatment for a single  
44 specialty condition, disease, or disorder.

45     (2) Is physically connected to or in the same  
46 structure as the private practice office of any  
47 physician participating as medical staff of the  
48 outpatient surgical facility.

49     (3) Is restricted to use by any such participating  
50 physician.

1 Sec. 69. Section 135H.10, subsection 3, Code 2011,  
2 is amended by striking the subsection.

3 Sec. 70. Section 144D.4, as enacted by 2012 Iowa  
4 Acts, House File 2165, section 5, is amended by adding  
5 the following new subsection:

6 NEW SUBSECTION. 10. A POST form executed between  
7 July 1, 2008, and June 30, 2012, as part of the patient  
8 autonomy in health care decisions pilot project created  
9 pursuant to 2008 Iowa Acts, chapter 1188, section 36,  
10 as amended by 2010 Iowa Acts, chapter 1192, section 58,  
11 shall remain effective until revoked or until a new  
12 POST form is executed pursuant to this chapter.

13 Sec. 71. Section 256B.9, subsection 7, Code 2011,  
14 is amended to read as follows:

15 7. a. The costs of special education instructional  
16 programs include the costs of purchase of  
17 transportation equipment to meet the special needs of  
18 children requiring special education with the approval  
19 of the director of the department of education.

20 b. The department of education shall administer  
21 the costs of special education instructional programs  
22 when contracted with a private agency that provides  
23 residential treatment services to include the costs  
24 of general administration, health service, attendance  
25 officers, plant operation, and plant maintenance,  
26 regular and special instructional costs, overhead  
27 costs, and the costs of purchase of equipment,  
28 transportation, and insurance to meet the special needs  
29 of children requiring special education.

30 c. The state board of education shall adopt rules  
31 under chapter 17A for the purchase of transportation  
32 equipment pursuant to administer this section.

33 Sec. 72. SPECIAL EDUCATION COSTS — LEGISLATIVE  
34 STUDY. The legislative council is requested to  
35 establish an interim study committee during the 2012  
36 interim to examine the payment of special education  
37 costs associated with student services provided in  
38 residential treatment facilities and whether the  
39 planning for and costs of such services would be  
40 more appropriately administered by the department of  
41 education or the department of human services.

42 Sec. 73. Section 225B.8, Code Supplement 2011, is  
43 amended to read as follows:

44 **225B.8 Repeal.**

45 This chapter is repealed July 1, 2012 2013.

46 Sec. 74. CIVIL MONETARY PENALTIES — NURSING  
47 FACILITY TRAINING — SEXUAL OFFENDERS. Of the funds  
48 received by the department of human services through  
49 civil monetary penalties from nursing facilities,  
50 during the fiscal year beginning July 1, 2012, and

1 ending June 30, 2013, \$250,000 shall be used for  
2 training of nursing facility staff relating to the  
3 requirements of 2012 Iowa Acts, House File 2422, if  
4 enacted.

5 Sec. 75. EFFECTIVE UPON ENACTMENT. The section  
6 of this division of this Act amending section 256B.9,  
7 being deemed of immediate importance, takes effect upon  
8 enactment.

9 Sec. 76. RETROACTIVE APPLICABILITY. The section  
10 of this division of this Act amending section 256B.9  
11 applies retroactively to July 1, 2011.>

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HEATON of Henry